

COUNTY OF SOLANO

CLASS SPECIFICATION

PUBLIC DEFENDER

CLASS SUMMARY:

Under administrative direction of the Board of Supervisors, plans, organizes, administers and directs a program of legal counseling and representation of persons accused of violations of criminal law, juveniles brought before the juvenile court, and persons undergoing involuntary commitment proceedings for mental illness, drug addiction, alcoholism or duties as prescribed by law; and performs related duties as required by Government Code Section 27706; serves as a member of the County's management team.

DISTINGUISHING CHARACTERISTICS:

This is a single position class allocated to the office of the Public Defender. The Public Defender's Office provides legal defense to eligible clients and ensures that all clients receive the best possible publicly assisted legal defense representation. The incumbent serves as the department head, and is responsible for the development, administration and direction of the County's program for legal defense of indigent criminal defendants, and budget and personnel management for the department.

SUPERVISION RECEIVED AND EXERCISED:

- All work is performed using considerable independent judgment under the general administrative direction of the Board of Supervisors and budget oversight of the County Administrator. The incumbent serves at the will of the Board of Supervisors as provided for in California Government Code Section 27703 and Solano County Code 2-82.
- Exercises supervision over Chief Deputies, Deputy Public Defenders, and all other personnel assigned to the office of the Public Defender.

ESSENTIAL DUTIES: This class specification represents the core area of responsibilities; specific position assignments will vary depending on the needs of the department.

- Plans, organizes and directs the provisions of legal services to eligible persons accused of criminal offenses or subject to certain civil proceedings such as:
 - Consults with Chief Deputies regarding the assignment of individual attorneys to specific cases and/or court divisions;
 - Consults with legal staff on the conduct of cases in progress and gives advice and assistance as necessary; reviews selected outgoing correspondence, completed files on closed cases, reports of completed investigations, and other materials comprising finished work
 - Evaluates the preparation and presentation of individual cases and overall quality of legal services to the community served
 - Reviews and evaluates summaries prepared by legal staff recommending that cases be contested; determines whether convictions should be appealed to higher courts
 - Monitors the quality of work and caseload information; directs operational changes to increase effectiveness and efficiency of operations; reviews sampling

of case files and transcripts of preliminary hearings in felony cases, and other materials related to incoming or continuing work load

- May practice law by serving as defense counsel to eligible clients; may be assigned additional legal, managerial or administrative duties; may serve on committees to address specific criminal justice system or general County-wide concerns
- Establishes and applies policies related to the public defense program
- Confers with Chief Deputies and subordinate Deputy Public Defenders regarding policies, procedures and activities of the departmental program, including the review of major cases in order to determine the effect of such cases on workload;
- Discusses the public defense program with judges, prosecutors, law enforcement officials and the public.
- Keeps up to date on changes in statutory and decisional law, and directs the attention of staff to changes.
- Exercises management authority for assigned services and activities of the office of Public Defender and performs managerial responsibilities such as:
 - Ensures delivery of mandated and other services in compliance with local, state and federal regulations, legislation and policies;
 - Directs the preparation of the departmental budget showing justification for requested appropriations and staffing; administers the approved budget and control expenditures;
 - Monitors purchases and expenditures;
 - Approves non-routine expenditures for workplace improvements, training, computer software and hardware, etc.;
 - Analyzes staffing and expenditure requests; reviews requests for additional programs and services; formulates, justifies and presents the budget; monitors budget expenditures;
 - Monitors goals and objectives of the unit and takes corrective actions as appropriate;
 - Recommends and implements new policies and procedures to eliminate or reduce barriers to efficient or effective production and/or to improve customer service;
 - Coordinates and monitors the work of consultants and contractors by reviewing the performance and quality of work to ensure compliance with the applicable contract and by reviewing and approving claims for payments to ensure conformance with contract provisions and to prevent cost overruns;

- Acts as liaison with judges, representatives of the County's District Attorney Office, Probation Department, other county departments, interested community groups and the local Bar Association to achieve common objectives, share information, design more effective service delivery systems and resolve operational concerns; make public presentations and performs other public relations activities.
- Performs supervisory duties to direct reports and to others through subordinate supervisors such as:
 - Establishes standards for acceptable work products and evaluating performance;
 - Assists in the selection, training, placement and evaluation of departmental personnel;
 - Reviews, approves and implements disciplinary actions and terminations;
 - Assigns work, plans and schedules staff's work activities and deadlines;
 - Reviews work and recognizes employees' work efforts and accomplishments;
 - Provides career development mentoring and recommends training and career development opportunities;
 - Ensures that employees are properly trained;
 - Reviews and approves timesheets and requests for leave; and
 - Supports and ensures compliance with County and Department policies and procedures including those related to equal opportunity and to safety
- Prepares reports as requested or required for the County Administrator, Board of Supervisors, and/or Auditor-Controller; establishes and maintains a system of office forms, procedures, recordkeeping and reporting systems, and initiates appropriate changes.
- Performs other duties of a similar nature or level as assigned.

EDUCATION AND EXPERIENCE:

- Progressively responsible experience as a criminal defense attorney coupled with educational experience in the supervision or management of legal services and departmental operations which demonstrates possession of and competency in requisite knowledge and abilities.¹
- Admission to the practice of law in the state; a minimum of five (5) years in the practice of the law, with major emphasis on criminal justice; and such other qualifications as may be additionally prescribed by minute order or resolution of the board of supervisors.²

LICENSING, CERTIFICATION AND REGISTRATION REQUIREMENTS:

¹ From Public Defender classification specification dated 11/89.

² County Code 2-83.

- Must be an active member of the State Bar Association in good standing.
- Possession of a valid California Class C driver's license.

Note: All licenses, certificates and registrations must be kept current while employed in this class. This may include the completion of continuing education units to maintain the required registration in good standing. Employees must keep their licenses, certifications and registrations current and failure to do so may constitute cause for personnel action.

REQUIRED KNOWLEDGE, SKILLS AND ABILITIES:

Knowledge of:

- Thorough knowledge of mission, goals and other objective of public legal defense services.
- Working knowledge of the ABA Ten Principles of a Public Defense Delivery System, ABA Standards for the Defense Function, State Board of California Guidelines on Indigent Defense Service Delivery System.
- Duties, powers, limitations and the authorities of the office of the Public Defender; principles of civil and criminal law, including death penalty cases, to include, but not limited to, California Penal Code and Evidence Code; principals of trial procedures and rules of evidence; effective defense techniques; legal research methods and judicial procedures.
- Legal and analysis techniques and defense strategy practices.
- Function, operation and inter-relationship of major operational units with public defender offices.
- Training techniques applicable in a legal setting; civil and criminal code.
- Trial and court procedures; legal research methods; rules of evidence; ethical and professional rules of conduct.
- Principles and practices of management, budgeting and personnel administration.
- Work simplification, legal function evaluation and cost control techniques.
- Principles and practices of supervision, leadership, motivation, team building, organization, training, and conflict resolution.
- Criminal and civil law as it relates to a second office within the department that takes conflict of interest cases.
- Public information and public speaking techniques.

Skills and/or Ability to:

- Formulate and communicate department policy, goals and objectives.
- Plan, organize and supervise criminal defense operations; legal procedures and principles governing public defense administration.
- Prepare clear and concise oral and written legal presentations; defend highly complex civil and criminal cases; prepare witnesses for trial appearances.
- Supervise, delegate, evaluate, train, and develop staff and organize and manage their work.
- Assign cases effectively through case assessment and evaluation of knowledge/experience of staff.
- Organize and prioritize work assignments.
- Read, apply and interpret administrative and budgetary direction, statutory and decisional law and incorporate into operational policy and procedure.
- Maintain confidentiality of information.
- Communicate information and ideas clearly and concisely, both orally and in writing.
- Work effectively with others who have objectives counter to assigned role.
- Establish and maintain effective working relationships with those contacted in the performance of required duties.
- Represent the office in meetings with representatives from various County and non-County organizations, with local attorneys, law firms and businesses, with customers/clients, and/or with the general public.
- Prepare a variety of written communications to include reports, policies and procedures.
- Perform a variety of technical and specialized tasks and functions in an independent, competent and timely fashion.
- Use modern office equipment to include computers and related software applications.
- Operate a motor vehicle.
- Travel independently.

PHYSICAL REQUIREMENTS:

- **Mobility and Dexterity:** Employees in this class typically require stooping, kneeling, reaching, standing, walking, fingering, grasping, feeling (i.e., sense of touch), and repetitive motion.

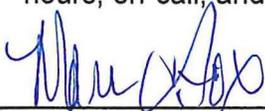
- Lifting, Carrying, Pushing and Pulling -- Sedentary Work: This class typically requires performing the following: exert up to 10 pounds of force occasionally and/or a negligible amount of force frequently or constantly to lift, carry, push, pull or otherwise move objects.
- Vision: This class typically requires the employee to have close visual acuity, with or without correction, to prepare and analyze data and figures, transcribe, view a computer terminal, read, etc. This class requires employees to have depth perception in order to operate a motor vehicle.
- Hearing/Talking: Positions in this class require the employee to perceive the nature of sounds at normal speaking levels with or without correction, and have the ability to receive detailed information through oral communication. Positions in this class require the employee to express or exchange ideas by means of the spoken word.

WORKING CONDITIONS:

- Office Work: Employees in this class will most often be working in an office setting or in a courtroom.
- Traffic Hazards: Employees in this class will be required to operate a vehicle and thus will be subject to traffic hazards while driving.
- Disruptive/Confrontational Human Contacts: Employees in this class may be subject to disruptive and confrontational people.

OTHER REQUIREMENTS:

- Background Checks: The County may conduct a background check and a reference check on candidates prior to appointment to a position within this class. The background check may include the State of California Department of Justice, the Federal Bureau of Investigation (FBI), and criminal checks in any City/County where the applicant has lived, worked or gone to school.
- Independent Travel: Incumbents are required to travel independently, for example, to perform work at other work sites, to attend meetings with other County employees, to attend meetings with community organizations, etc.
- Hours of Work: Incumbents may be required to work weekends, holidays, irregular hours, on-call, and after normal business hours.



Director of Human Resources

- Revised: 11/1989, 11/2018