

CRIMINAL LAW ASSOCIATE

DISTINGUISHING FEATURES OF THE CLASS: This is professional legal work involving responsibility for assisting in the preparation, conduct and appeal in various court and legal proceedings involving criminal prosecutions. The work involves extensive research and the preparation of legal documents. Work is performed in accordance with guidelines provided by law and under the direct supervision of a licensed attorney. Does related work as required.

TYPICAL WORK ACTIVITIES:

Assignment of cases in specialty areas such as Drug Task Force, Welfare Fraud, Computer Fraud, Child Pornography, Integrated Domestic Violence Court, Treatment Court and Search Warrant Applications;

Assignment to, and attendance at, meetings of special committees, such as Young Victims Committee, STOP-DWI, Coordinated Community Response-Domestic Violence, and Justice for Children Team meetings;

Preparation and presentment of trainings and materials for Law Enforcement on a variety of topics;

Preparation and presentment of trainings and materials for local magistrates;

Preparation of cases for presentment to the Grand Jury including, but not limited to, review of charges and Grand Jury instructions, preparation of subpoenas for documents and witnesses, preparation of witnesses, and selection of exhibits;

Fielding inquiries from the media regarding pending cases and other matters;

Addressing post disposition issues such as violations of probation and conditional discharges, non-payment of surcharges, fines and/or restitution, failure to complete sentence conditions (such as community service and re-arrests, etc.), and requests for modification of orders of protection;

Appearing in assigned town and village courts monthly or as required;

With certain exceptions, prosecuting all felonies, misdemeanors and specified violation level offenses in assigned courts from arraignment through sentencing;

Interviewing victims and witnesses;

Referring victims to victim service agencies, as appropriate;

Developing a theory of the prosecution for each case;

Reviews Discovery materials and proposed Certificates of Compliance to turn over to defense counsel;

When appropriate, seeking restitution orders and orders of protection for crime victims;

Being available to law enforcement twenty-four hours a day, seven days a week to discuss cases under investigation in terms of whether charges can/should be filed, what charges can/should be filed, further steps to be taken in criminal investigations, including search warrant applications and subpoenas, bail recommendations;

Reviewing law enforcement reports and accusatory instruments upon receipt, determining what, if any, further investigation is advisable/required;

Contact with crime victims and victim service worker;

Appearing in court on pretrial court dates, handling pretrial practice issues such as discovery, motions, bail applications, etc.;

Preparing for and conducting pretrial litigation such as suppression hearings or competency hearings;

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TYPICAL WORK ACTIVITIES Cont'd:

Conducting plea negotiations with defense counsel;
Victim consultations;
Continuing contact with law enforcement;
Preparing for and conducting trial litigation;
Preparing for and conducting post-verdict proceedings to include sentencing;
Consultation with appellate counsel in office regarding post-sentencing issues;
Responding to phone calls, email, written correspondence;
Non-case specific administrative duties such as time sheets, yearly evaluations, etc.;
Attending meetings in DA's Office and/or with outside agencies regarding either specific cases or general functioning in criminal justice system;
Legal research as needed at any stage;
Continuing legal training/education;
Prosecuting all post-conviction matters, such as criminal appeals, CPL 440 motions, SORA proceedings, etc., including preparation and review of the case record, review and analysis of defendant's briefs, legal research; drafting, editing and re-editing legal briefs, oral argument, replying to motions for re-argument and leave to appeal in Genesee County Court, the Appellate Division, 4th department, and the New York State Court of Appeals;
Prioritizing and re-prioritizing management of individual caseloads in terms of utilization of limited resources, most importantly how time is spent;

FULL PERFORMANCE KNOWLEDGES, SKILLS, ABILITIES, AND/OR PERSONAL

CHARACTERISTICS: Good knowledge of the principles and practices of applicable field of law; good knowledge of court procedures and the rules of evidence; good knowledge of legal documents and procedure; skill in performing accurate legal research, preparation of briefs and other legal documents; ability to analyze, appraise and legal principles, facts and precedents to legal problems; ability to communicate effectively, both orally and in writing; physical condition commensurate with the demands of the position.

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee is frequently required to stand, sit, use hands to finger, handle, or feel objects, tools, or controls, and reach with hands and arms. The employee is required to talk, walk and hear. The employee must occasionally lift and/or move up to 10 pounds. Specific vision abilities required by this job include close vision, distance vision, and the ability to adjust focus.

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions. The noise level in the work environment is usually moderate to low.

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MINIMUM QUALIFICATIONS: Graduation from an accredited law school.

NOTE: Upon approval of the Appellate Division, Forth Judicial Department, may perform some of the functions of an Assistant District Attorney by arguing motions, trying non-jury local criminal court matters, participating in calendar practice and preparing appeals pursuant to Section 478 and 484 of New York Judiciary Law.

Competitive Class

All qualified applicants will be afforded equal employment opportunities without discrimination because of race, creed, color, national origin, sex, age, disability or marital status.