

CITY OF BELLINGHAM

JOB DESCRIPTION

CLASS TITLE: Assistant City Attorney - Criminal

UNION:E-PLAN

DEPARTMENT: Legal

SG:E-14

CS:N

FLSA:N

EEO4CODE:PR

JOB SUMMARY:

Responsible for the prosecution of misdemeanor and municipal ordinance violations in Municipal Court. This is a full-time position and the person appointed may not engage in the private practice of law while so employed by the City.

SUPERVISORY RELATIONSHIPS:

Reports to the City Attorney. May receive direction from the Assistant City Attorney, Senior.

ESSENTIAL FUNCTIONS OF THE JOB:

1. Prosecutes misdemeanors and gross misdemeanors, traffic offenses and other municipal ordinance violations in Municipal Court, which includes determining what charges to file and deciding whether to plea bargain or reduce charges.
2. Provides advice to police officers regarding appropriate charges and methods of law enforcement by determining current status of law based on legislative and judicial changes.
3. Contacts victims, which includes requesting subpoenas, gathering information, evaluating evidence, determining whether a victim will assist in prosecution, and monitoring the victim's safety.
4. Conducts legal research, interviewing witnesses, deciding discovery methods to pursue, and making settlement suggestions for pursuing the defense of the City in conducting the prosecution of criminal cases and motion hearings.
5. Conducts criminal jury and bench trials which includes presenting the City's case, instructing the jury, determining sentencing recommendations, and resolving evidentiary issues, voir dire questions, and trial procedures.
6. Prepares and conducts arraignments by reading police reports, summarizing factual elements of crimes, evaluating probable cause, determining bail amounts and sentencing recommendations, presenting factual basis for plea, making offers to defendant, and determining whether a reduction or dismissal is merited.
7. Prepares and investigates pretrial cases by reviewing reports, evaluating evidence, locating missing information or evidence, contacting and negotiating with defense attorneys, determining the likelihood of success, and making sentencing recommendations.
8. Conducts pretrial hearings by setting motions, trial dates, or offering guilty plea to the court.

9. Conducts no-contact order rescission hearings and contested infraction and motion hearings by presenting the City's case, determining whether the rescission of a no-contact order threatens victim safety, and evaluating legal issues and relevant case law.

ADDITIONAL WORK PERFORMED:

1. Drafts legal documents such as various ordinances requested by the Mayor, department heads, and/or the City Council; determines legality of requested action including how to write draft to withstand legal challenges.
2. Performs related duties within the scope of the classification.

PERFORMANCE REQUIREMENTS (Knowledge, Skills and Abilities):

Knowledge of:

- Criminal law;
- Criminal procedure;
- Trial advocacy;
- Domestic violence issues;
- Constitutional law and evidence;
- Appellate law and procedure; and,

Skill in:

- Researching legal issues;
- Oral advocacy;
- Organizing and managing cases;
- Communicating with the general public;
- Providing sentencing recommendations;
- Preparing and presenting bench and jury trials; and,
- Writing legal documents and ordinances;

Ability to:

- Use advanced communication and interpersonal skills for persuasion, conflict management, conveying complex information as applied to interaction with coworkers, supervisors, managers, department directors, the Mayor, City Council and the general public.
- Demonstrate the Public Service Competencies of Service Orientation, Results Orientation, and Teamwork and Cooperation.

WORKING ENVIRONMENT:

Work is primarily performed in an office environment with frequent court appearances. Extensive work at a computer work station. Travel to court, seminars and meetings as needed.

EXPERIENCE AND TRAINING REQUIREMENTS:

- Admission to the Washington State Bar.
- Some experience in the practice of municipal law or criminal law and procedure preferred.

PREPARED BY: S. Mahaffey
J. Hoisington

REVIEWED BY: _____
Joan Hoisington, City Attorney

L. Klemanski
1/01
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2/10