

FIRST ASSISTANT DISTRICT ATTORNEY

DISTINGUISHING FEATURES OF THE CLASS: This is a professional position that assists with the prosecution of felony and misdemeanor cases in the County. The work involves responsibility for participating in the investigation, preparation and presentation in court of felony and misdemeanor cases, both Penal Law and Vehicle and Traffic Law. The work is performed under the general supervision of the District Attorney. The First Assistant District Attorney is responsible for answering legal problems arising in the District Attorney's Office, and is assigned cases of a more difficult nature. Does related work as required.

TYPICAL WORK ACTIVITIES: (Illustrative Only)

Manages assigned cases on intake by examining case file, including complaint and report form, and determining facts versus legal issues;

Works with law enforcement agencies by rendering legal advice, assisting in investigation, coordinating activities on particular cases and preparing search warrants;

Responds to scenes of serious physical injury accidents;

Works with local criminal courts by handling violations and misdemeanors, rendering legal advice to law enforcement, preparing for preliminary felony hearings and making bail recommendations;

Prepares cases for Grand Jury presentment, including marshalling and evaluating evidence, statements, photographs, sketches and reports (including scientific tests);

Researches law to determine legal requirements versus evidence;

Secures indictment, prosecutor's information or finding of dismissal from Grand Jury;

After indictment, prepares cases for trial by responding to motions, preparing for hearings, evaluating cases, plea-bargaining and discussing cases with District Attorney;

Prepares for trial by researching points of law and rules of evidence, preparing trial file of evidence, checks on prospective jurors, and develops trial strategy;

Tries cases, including jury selection, presentation of cases; preparing opening statements and preparing closing summations;

Handles post-judgment motions, including receiving motions to vacate judgment, preparing response and brief and arguing motion in superior court;

Handles appeals by preparing brief, appendix and trial record, preparing response to defendant's brief, arguing appeal in Appellate Division and seeking permission to Court of Appeals if not a matter of right;

Responds to telephone calls from citizens, county agencies, and law enforcement agencies.

FULL PERFORMANCE KNOWLEDGE, SKILLS, ABILITIES AND PERSONAL CHARACTERISTICS:

Good knowledge of criminal law and court proceedings;

Good knowledge of personal computer and excellent ability to conduct online research;

Ability to interpret and work with New York State and Federal criminal code;

Ability to communicate clearly and concisely both orally and in writing;

Ability to reason quickly and logically in stressful situations;

Ability to analyze and organize effectively

Ability to establish and maintain good interpersonal working relations;

Ability to maintain high levels of confidentiality on controversial cases

Willingness to be available on a 24-hour basis to the District Attorney, law enforcement agencies and local Magistrates;

Integrity

Excellent judgment;

Physical condition commensurate with the demands of the position.

MINIMUM QUALIFICATIONS:

Admission to the New York State Bar and previous criminal prosecution experience.

SPECIAL REQUIREMENTS

Incumbents in this position are required by NYS Public Officers Law §3(38) to reside within the County of Yates at all times during their employment in the title. NYS Drivers License required.

Jurisdiction Class:	Exempt
Civil Division:	County
Adoption by PO:	December 7, 2009

