

Assistant District Attorney - Level 5 Tompkins County

Department: District Attorney
Classification: Exempt
Labor Grade: Management Grade 89
Approved: 11/2021
By: RP, Commissioner of Human Resources

SUGGESTED OR PREFERRED QUALIFICATIONS:

Admission to the Bar in New York State. Applicants must provide verification that they have passed the NYS Bar exam and provide a current Certificate of Good Standing from the New York State Supreme Court, Appellate Division. An employee is required to maintain the certificate of good standing for the duration of his or her career. A minimum of ten (10) years of experience as a felony prosecutor in New York State.

NOTE:

Assistant District Attorneys are Public Officers and as such would normally be required to reside in Tompkins County. However, on June 21, 2016, Tompkins County adopted Local Law No. 2 of 2016, which waives the requirement of Public Officer law and states that individuals holding said positions within the County of Tompkins shall be permitted to reside either within the County of Tompkins or any other county in New York State. As a public officer, candidates for this position must be a citizen of the United States (either natural born or naturalized).

Tompkins County is committed to Equity and Inclusion. We encourage those with similar values to apply.

DISTINGUISHING FEATURES OF THE CLASS:

This position involves responsibility for representing the People of the State of New York in the criminal prosecution of offenses. This involves all phases of case preparation and presentation of matters ranging from vehicle and traffic infractions to felonies. Work is performed in close conjunction with and under the supervision of the District Attorney. The incumbent will perform all related duties as required.

This position involves supervisory responsibility for Assistant District Attorney 1, 2, 3 and 4 positions, including mentoring and training of felony level trial prosecutions. The ADA5 will be responsible for conducting training and educational programs for junior Assistant District Attorneys. The ADA5 will review recently decided appellate cases and provide written summaries to the junior attorneys identifying significant developments in the area of criminal law. The ADA5 will present "best practices" seminars to the junior attorneys on a routine basis and will regularly meet with the individuals in the ADA 1, 2 and 3 positions to provide mentoring and supervision. The ADA5 position is responsible for the prosecution of major felonies including homicide, sexual assault, violent crimes and other serious offenses. Individuals in this position will have a high level of autonomy.

TYPICAL WORK ACTIVITIES:

- Supervises and trains subordinate Assistant District Attorneys Levels 1-4 and assigns cases accordingly;
- Manages assigned cases on intake by examining case file, including complaint and report form, and determining facts versus legal issues;
- Monitors developments in caselaw and provides regular updates to junior attorneys on breaking issues;
- Conducts regular educational trainings and best practices seminars for junior attorneys;
- Meets with junior ADAs on regular basis to provide mentorship and feedback;
- 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 magistrates, 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, prosecutors 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, checks on changes by judge and develops trial strategy;
- Tries major felony cases, including jury selection, presentment 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 appeal to Court of Appeals if not a matter of right;
- Instructs at Police Training Academy if requested;
- Responds to telephone calls from citizens, agencies and law enforcement agencies;
- Researches new law and prepares memorandum.
- Provides training and education for junior Assistant District Attorneys in the District Attorney's Office.

KNOWLEDGE, SKILLS, ABILITIES AND PERSONAL CHARACTERISTICS:

- Thorough knowledge of criminal law and court proceedings;
- 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 make logical, on the spot decisions regarding office policy;
- 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;
- The employee's physical condition shall be commensurate with the demands of the position.

Originally created: 11/2021

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