

Assistant District Attorney - Level 2 Tompkins County

Department: District Attorney
Classification: Exempt
Labor Grade: Management Grade 86
Approved: Departmental Reorganization 04/2018
Revised: NYS CSC 3/13/19
By: AG, Commissioner of Human Resources

SUGGESTED OR PREFERRED QUALIFICATIONS:

Admission to the Bar in New York State, or admission as a law intern qualified to appear in the local criminal courts under the rules of the Appellate Division pending regular admission to the Bar. At least two years of experience as a licensed attorney practicing in the areas of criminal law or litigation-based practice areas.

NOTE: Individuals employed as Assistant District Attorney 2 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 Officers 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).

NOTE: Please attach a cover letter with your application.

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, Deputy District Attorney, and senior level Assistant District Attorneys. This class is distinguished from the Assistant District Attorney 3 and 4 classes by the courts appeared in and the types of cases handled. Whereas Assistant District Attorney 3 and Assistant District Attorney 4 classes appear in all courts of the County, this class emphasizes work in the local criminal courts (i.e., village, town, and city courts). The local criminal courts have trial jurisdiction of misdemeanor and lower level offenses, but only preliminary jurisdiction over felonies. This means that the brunt of the work handled by this class will be on misdemeanor and lower level cases, and that felony cases will normally be handled only pre-indictment while still pending in local criminal court. The incumbent will perform all related duties as required. This position involves supervision of ADA1 level attorneys.

TYPICAL WORK ACTIVITIES:

- 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;
- Works with local criminal courts by handling violations and misdemeanors, rendering legal advice to magistrates, preparing for preliminary felony hearings and making bail recommendations;
- Researches law to determine legal requirements versus evidence;
- 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 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 court;
- Handles appeals by preparing brief, appendix and trial record, preparing response to defendant's brief, arguing appeal in County Court, and seeking permission to appeal to high courts if not a matter of right;
- Responds to telephone calls from citizens, agencies and law enforcement agencies;
- Researches new law and prepares memoranda.

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 application of 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 and mental condition shall be commensurate with the demands of the position, either with or without reasonable accommodation.

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