



BOARD OF SUPERVISORS AGENDA ITEM REPORT

Requested Board Meeting Date: May 12, 2015

Title: Classification and Compensation Matters - New Classification

Introduction/Background:

This new classification was requested by the County Administrator as part of a restructuring of five existing Indigent Defense offices into a single Department of Public Defense Services (DPDS). The employee in this classification will plan, coordinate and administer the functions and activities of the DPDS, which includes the Offices of the Public Defender (PD), Legal Defender (LD), Court Appointed Counsel (OCAC), Children's Counsel (OCC) and Mental Health Defender (MHD). Organizationally, this classification will report to the County Administrator and provides managerial oversight to the PD, LD, OCC and MHD, while directly managing OCAC. This new classification is critical to the County's ability to effectively provide public defense services for the clients.

Discussion:

This new classification is a key component of the needed reorganization of the County's Indigent Defense services into a new Department of Public Defense Services (DPDS). The cost and complexity of providing legal services to indigent defendants have grown greatly in recent years. The annual cost is expected to approach or exceed \$30 million in FY 2015-16 for a total of five separate legal defense offices. This employee in this new classification will lead the DPDS, providing enhanced management oversight at a departmental level, including centralized budgeting and financial forecasting, personnel planning, case management systems, and data collection and analysis. Centralized management will make it possible to identify systemic improvements and cost savings, including maximizing use of in-house attorneys and reducing reliance on contract attorneys as appropriate. The directors of the PD, LD, OCC and MHD offices will continue to be responsible for the provision of legal services and representation of clients, as ethically mandated.

Conclusion:

The new classification is needed to provide enhanced management oversight for all Indigent Defense offices in Pima County as part of their reorganization into a single Department of Public Defense Services.

Recommendation:

It is recommended that the 7463/Public Defense Services Director classification be approved, effective May 12, 2015.

Fiscal Impact:

The creation of this new classification has no immediate cost impacts to the County as any additional costs incurred in hiring positions allocated to this classification will be borne by the department from within its current budget. Cost impacts in future budget years will be planned for by the department through the County's normal budget process.

Board of Supervisor District:

☐ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☒ All

Department: Human Resources

Telephone: 724-8467

Department Director Signature/Date: M. Spivey 4/20/15

Deputy County Administrator Signature/Date: John Burke 4-22-15

County Administrator Signature/Date: C. DeLuca 4/22/15

Code: 7463

Title: PUBLIC DEFENSE SERVICES DIRECTOR

SUMMARY: Plans, coordinates and administers the functions and activities of the Public Defense Services Department, which includes the Offices of the Public Defender (PD), Legal Defender (LD), Court Appointed Counsel (OCAC), Children's Counsel (OCC) and Mental Health Defender (MHD). Organizationally, this classification reports to the County Administrator and provides managerial oversight to the PD, LD, OCAC, OCC and MHD. This classification is in the unclassified service and is exempt from the Pima County Merit System Rules.

DUTIES/RESPONSIBILITIES: (Work assignments may vary depending on the department's needs and will be communicated to the applicant or incumbent by the supervisor.)

Plans, organizes and directs all functions, programs and activities of the Public Defense Services Department and OCAC;

Oversees the operations and management, planning and budget development, policies, procedures and practices of the PD, LD, OCC and MHD;

Determines the Public Defense Services Department's organizational structure and personnel needs, developing policies for the selection, training, supervision and evaluation of professional, technical, and clerical staff;

In consultation and collaboration with the directors of PD, LD, OCC and MHD, identifies and implements best practices and evidence-based practices in public defense management to promote delivery of high-quality, cost-effective public defense services in Pima County;

Formulates and implements Public Defense Services Department administrative procedures and policies, analyzes effectiveness, and directs changes in the same to meet statutory requirements;

Establishes policies and guidelines for negotiation of contracts and directs such negotiations;

Develops and reviews relevant County policies and procedures to ensure compliance with state guidelines and regulations relative to the Public Defense Services Department and county operations;

Reviews proposed and new legislation affecting public defense or the administration of criminal or juvenile justice and advises County management on impact;

Monitors Public Defense activities and prepares management reports, summary reports and other informational reports;

Directs and coordinates Public Defense activities with other County departments and with community agencies;

Directs the preparation of the annual budget and evaluates and monitors expenditures;

Responds to county and public inquiries and performs community relations activities;

Establishes and maintains liaison with federal, state, and local governmental agencies.

KNOWLEDGE & SKILLS:

Knowledge of:

- legal principles and practices to include civil, criminal, juvenile, constitutional and administrative law and procedure;
- principles, methods, materials and practices of effective legal research;
- principles and practices of pleading civil and criminal cases and effective techniques for the presentation of cases in court;
- trial procedures, rules of evidence and court requirements;
- principles and practices for effective administration and management of a county functional area, to include fiscal management;

- principles and practices of effective employee supervision, training and evaluation;
- related county, state and federal laws, regulations and standards;
- techniques of program development and evaluation, project economics and financial reporting;
- budget preparation and evaluation.

Skill in:

- conducting legal research, analyzing data and determining proper courses of action;
- preparing for, presenting and conducting client defenses and appeals;
- analyzing and applying legal principles;
- presenting oral and written statements of law, fact and argument clearly and logically;
- preparing and presenting proper legal instruments;
- planning, directing and evaluating the work of staff;
- planning, organizing and directing programs and activities relative to department;
- interpreting and implementing rules, regulations, policies and procedures related to department operations and activities;
- use of computer-based resources for research, analysis, creation, recording and maintenance of records, correspondence and related materials.
- assessing department achievements and deficiencies and developing solutions to address problems;
- communicating effectively, both orally and in writing;
- administering and managing the staff and activities of an organization;
- negotiating contracts and monitoring contract compliance.

DESIRED QUALIFICATIONS:

Graduation from an American Bar Association (ABA) accredited law school and current admission to the Arizona State Bar and ten years of experience as a practicing attorney in criminal litigation including at least five of which specialized in criminal defense and three of which involved supervisory or management responsibilities.

OTHER REQUIREMENTS:

Licenses and Certificates: Current admission to the Arizona State Bar is required at the time of appointment, and must be maintained as a condition of employment; failure to maintain this admission in good standing shall be grounds for termination. Possession of a valid Class D Arizona driver license may be required at time of application or appointment.

Physical/Sensory Requirements: Physical and sensory abilities will be determined by position.

This class specification is intended to indicate the basic nature of positions allocated to the class and examples of typical duties that may be assigned. It does not imply that all positions within the class perform all of the duties listed, nor does it necessarily list all possible duties that may be assigned.

Class Code	Classification Title	Salary Grade/Range	EEO Code	FLSA Code
7463	Public Defense Services Director	U6(\$101,441-\$198,724)	1	E*

*Exempt (Not Paid Overtime)