



BOARD OF SUPERVISORS AGENDA ITEM REPORT

Requested Board Meeting Date: 10/05/2021

Title: Compensation and Classification Matters - New Attorney Job Classifications

Introduction/Background:

New job classifications for different level of attorney positions.

Discussion:

Public Defense Services and the Pima County Attorney's Office are currently using a generic attorney job classification for their different levels of attorney to include those who are supervising. Human Resources is recommending more clearly defined roles for the various attorney positions. Therefore, it is necessary to create appropriate job classifications that clearly articulate the role and responsibilities of the various duties.

Conclusion:

This newly proposed attorney job classifications will provide an accurate description of the work assigned to the various levels of attorneys and functions they perform.

Recommendation:

It is recommended the following job classification be approved for use within the County's classification system: **Class Code 7670, Class Title Attorney I - Unclassified**, Salary Grade R1, Salary Range \$68,000 - \$95,200, EEO Code 2 (Professional), FLSA Code Exempt (not paid overtime); **Class Code 7672, Class Title Attorney II - Unclassified**, Salary Grade R2, Salary Range \$79,000 - \$110,600, EEO Code 2 (Professional), FLSA Code Exempt (not paid overtime); **Class Code 7674, Class Title Attorney Supervisor - Unclassified**, Salary Grade R3, Salary Range \$92,000 - \$128,800, EEO Code 2 (Professional), FLSA Code Exempt (not paid overtime); **Class Code 7676, Class Title Attorney Bureau Chief - Unclassified**, Salary Grade R4, Salary Range \$110,000 - \$154,200, EEO Code 1 (Officials & Administrators), FLSA Code Exempt (not paid overtime).

Fiscal Impact:

The creation of new job classifications for use in Public Defense Services will have a cost impact to the General Fund. The amount will not be known until it is determined the classifications into which each incumbent will be placed and where in the salary grade they will fall based on job skill, current salary, and years in position.

Board of Supervisor District:

☐ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐ All

Department: Human Resources Telephone: 724-2732

Contact: Cathy Bohland Telephone: 724-8672

Department Director Signature/Date: [Signature] 9/21/2021

Deputy County Administrator Signature/Date: [Signature] 9/21/2021

County Administrator Signature/Date: [Signature] 9/21/21

Code: 7670

Title: ATTORNEY I - UNCLASSIFIED

SUMMARY: Coordinates and conducts professional legal work in units within the Office of the Pima County Attorney and offices within the Public Defense Services Department. Incumbents perform entry level and/or intermediate level legal work in the area assigned for either criminal or civil cases. Attorneys at this level prepare, defend or prosecute, and resolve entry level to advanced-level licensed professional legal work. Attorneys at this level receive close supervision from higher-level attorney personnel in the performance of their duties. More experienced attorneys in this classification work more independently under the general supervision of higher level attorney personnel. This classification is appointed, unclassified and 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.)

Prosecutes or defends a variety of criminal or civil cases in Justice Court, Juvenile Court, Superior Court, Federal Court, and Appellate Courts which may include misdemeanor, felony, dependency, delinquency, mental health, guardianship, conservatorship, probate administration, contract, tort, environmental, real estate, tax issues, child support, or appellate cases;

Represents County departments, boards and commissions in civil litigation and administrative matters;

Engages in negotiations for compromise and settlement of cases and complies with Victims' Rights;

Engages in pretrial, trial, post-trial and appellate practice as required by cases;

Prepares litigation, deposes witnesses, provides witness notification, and conducts bench and jury trials;

Researches legal questions;

Researches and drafts legal motions, pleadings, briefs and other legal documents;

Reviews, evaluates, and participates in investigations;

Complies with all rules regulating professional responsibility;

Upholds the values and goals of the assigned Department and County;

Performs other related duties as assigned.

KNOWLEDGE & SKILLS:

Knowledge of:

- civil, criminal, constitutional, or administrative law;
- laws, court decisions, and rules of evidence and procedure;
- presenting and arguing cases in court and ability to handle unanticipated problems;
- principles, methods, materials, practices, and references in utilizing legal research;
- legal and professional ethics.

Skill in:

- applying legal analysis, research, and writing techniques to draft clear, concise, and organized legal correspondence, memoranda, documents and pleadings;
- interviewing of witnesses to obtain facts;
- researching and analyzing legal documents and instruments;
- developing and acting on sound legal strategies;
- presenting and arguing cases in court;
- effectively and efficiently negotiating the just resolution of assigned cases;
- developing and maintaining effective working relationships with others;
- communicating effectively, both orally and in writing.

DESIRED QUALIFICATIONS:

Juris Doctorate.

OTHER REQUIREMENTS:

Licenses and Certificates: Admission to the Arizona State Bar at time of appointment, which must be maintained in good standing. Some positions require a valid Arizona Class D driver license at time of application or appointment and must be maintained as a condition of employment.

Special Notice Items: All positions require the successful completion of a thorough background investigation due to the need for access to detention, courts, corrections and or law enforcement facilities, or associated confidential information, documents and materials.

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

Pima County

07/05/94

Updated 1/8/14(lsg)

Updated 10/XX/2021

Code: 7672

Title: ATTORNEY II- UNCLASSIFIED

SUMMARY: Coordinates and conducts professional legal work in units within the Office of the Pima County Attorney and offices within the Public Defense Services Department. Incumbents perform advanced level legal work in the area assigned for either criminal or civil matters. Attorneys at this level regularly prepare, defend or prosecute, and resolve the most complex legal work involving serious and consequential matters demanding a higher degree of resourcefulness, skill and knowledge than that assigned to lower level attorneys. Work is performed with considerable latitude, independent judgment, and professional discretion. This classification is appointed, unclassified and 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.)

Prosecutes or defends the most difficult and complex criminal or civil cases brought for and against the County, in State or Federal Courts;

Manages the most demanding criminal or civil cases in public sector law;

Represents County departments, boards and commissions in civil litigation and administrative matters;

Prepares ordinances, resolutions, contracts and leases for consideration by county officials;

Prepares legal opinions and advises county officials on a variety of legal matters;

Engages in negotiations for compromise and settlement of cases and complies with Victims' Rights;

Engages in pretrial, trial, post-trial and appellate practice as required by cases;

Prepares litigation, deposes witnesses, provides witness notification, and conducts complex bench and jury trials;

Develops, refines, and presents legal strategies, reviews legal documents, extracts relevant information, evaluates legal issues and legal system variables and negotiates agreements;

Conduct research and provide consultation involving complex and difficult legal issues;

Researches and drafts legal motions, pleadings, briefs and other legal documents;

Reviews, evaluates, and participates in investigations;

Complies with all rules regulating professional responsibility;

Upholds the values and goals of the assigned Department and County;

Performs other related duties as assigned;

KNOWLEDGE & SKILLS:

Knowledge of:

- civil, criminal, constitutional, or administrative law;
- laws, court decisions, rules of civil and criminal evidence and procedure;
- presenting and arguing cases in court and ability to handle unanticipated problems;
- legal research;
- legal and professional ethics.

Skill in:

- working independently on exceptionally complex assignments;
- working cooperatively with others, often under stressful conditions;
- performing difficult and complex legal research;
- effectively preparing, presenting and conducting extremely complex cases of law;

- applying legal analysis, research, and writing techniques to draft clear, concise, and organized legal correspondence, memoranda, documents and pleadings;
- developing and acting on sound legal strategies;
- analyzing, appraising, and organizing facts, evidence, and precedents to ascertain the determining aspects of cases and presenting material in a clear and logical form;
- effectively and efficiently negotiating the just resolution of assigned cases;
- developing and maintaining professional relationships with victims, witnesses, law enforcement agencies, and members of the community;
- communicating effectively with victims, witnesses, judges, other agencies and members of the public;
- communicating effectively, both orally and in writing.

DESIRED QUALIFICATIONS:

Juris Doctorate. Five (5) years of relevant prosecution, defense, or civil experience.

OTHER REQUIREMENTS:

Licenses and Certificates: Admission to the Arizona State Bar at time of appointment which must be maintained in good standing. Some positions require a valid Arizona Class D driver license at time of application or appointment and must be maintained as a condition of employment.

Special Notice Items: All positions require the successful completion of a thorough background investigation due to the need for access to detention, courts, corrections and or law enforcement facilities, or associated confidential information, documents and materials.

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

Code: 7674

Title: ATTORNEY SUPERVISOR – UNCLASSIFIED

SUMMARY: Supervises, assists, and leads attorneys and support staff in designated units within the Office of the Pima County Attorney and offices within the Public Defense Services Department. Incumbents perform advanced level legal work in the areas assigned. Also responsible for assigning and monitoring caseloads, reviewing the status of cases and providing consultation and direction to attorneys in their respective unit, as well as evaluating personnel. Incumbents work within general instructions and guidelines, exercising discretion and independent judgment in the performance of duties. This classification is appointed, unclassified and 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.)

Supervises and leads personnel of a respective unit within the department and provides training, mentoring, and guidance to subordinate staff;

Supervises staff attorney activities involved in prosecution or defense of a variety of criminal and/or civil cases in Justice Court, Juvenile Court, Superior Court, Federal Court, Appellate Courts, and those who represent County Departments, Commissions, and Councils;

Assigns, reviews and evaluates the work of subordinate attorneys and provides recommendations to management on hiring and disciplinary action;

Reviews legal documents, motions, pleadings and briefs, investigative reports, and verifies facts;

Provides oversight and guidance in preparing litigation, deposing witnesses, witness notification, and conducting bench and jury trials;

Provides oversight of staff attorney caseloads and resolutions, to include pre-trial, trial, post-trial and appellate practice;

Oversees negotiations for compromise and settlement of cases, in line with the Department's policies;

Oversees preparation of ordinances, resolutions, contracts and leases for consideration by County officials;

Researches legal questions;

Prepares legal opinions and advises County officials on a variety of legal matters;

Carries a reduced caseload in prosecution or defense of a variety of criminal, civil, and/or administrative matters;

Comply with all rules regulating professional responsibility and monitor/report staff attorney for compliance;

Acts as a role model and maintains the integrity, professionalism, values, and goals of the assigned Department and County;

Performs other related duties as assigned.

KNOWLEDGE & SKILLS:

Knowledge of:

- civil, criminal, constitutional, or administrative law;
- laws, court decisions, rules of civil and criminal evidence and procedure;
- presenting and arguing cases in court and ability to handle unanticipated problems;
- legal research;
- legal and professional ethics.

Skill in:

- applying legal knowledge and training;
- planning, assigning, training, and supervising the work of others;
- analyzing, appraising, and organizing facts, evidence, and precedents to ascertain the determining aspects of cases and presenting material in a clear and logical form;
- developing, refining, and presenting legal strategies, reviewing legal documents, extracting relevant information, evaluating legal issues and legal system variables and negotiating agreements;
- directing legal strategies and tactics;
- using initiative and independent judgment within established procedural guidelines; effectively preparing, presenting and conducting cases which may include those of extreme complexity;
- developing and maintaining professional relationships with victims, witnesses, law enforcement agencies, and members of the community;
- developing and maintaining effective working relationships with others; communicating effectively, both orally and in writing.

DESIRED QUALIFICATIONS:

Juris Doctorate. Six (6) years of relevant prosecution, defense, or civil experience. Must pass a thorough background investigation.

OTHER REQUIREMENTS:

Licenses and Certificates: Admission to the Arizona State Bar at time of appointment, which must be maintained in good standing. Some positions require a valid Arizona Class D driver license at time of application or appointment and must be maintained as a condition of employment.

Special Notice Items: All positions require the successful completion of a thorough background investigation due to the need for access to detention, courts, corrections and or law enforcement facilities, or associated confidential information, documents and materials.

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

Pima County

Created 10/XX/21

Code: 7676

Title: ATTORNEY BUREAU CHIEF - UNCLASSIFIED

SUMMARY: Supervises, assists, and leads attorneys and support staff in areas such as the Office of the Pima County Attorney and offices within the Public Defense Services Department. Incumbents oversee functions within their respective criminal or civil bureau, analyze workloads, case flow, court schedules, complex legal issues, and develop plans, schedules, assignments and solutions, in addition to evaluating attorney and staff performance. Work is performed with considerable latitude, independent judgment and professional discretion. This classification is appointed, unclassified and 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.)

Supervises and leads attorneys and support staff of a respective bureau within the department;
Supervises bureau activities involved in prosecution or defense of a variety of criminal and/or civil cases in Justice Court, Juvenile Court, Superior Court, Federal Court, Appellate Courts, and Administrative venues;
Evaluates personnel and program performance;
Makes recommendations to the Appointing Authority on matters including hiring, disciplinary actions, promotions, and employment termination;
Manages and investigates complaints and ethical allegations;
Supervises assignment of cases, prioritizes projects, and resolves workload and technical issues;
Reviews case files and work products and ensures that quality standards are met;
Develops charging decision guidelines, legal assessments and strategies, and office standards based on the law, strength of the case, and evidentiary standards;
Provides advice and consultation to law enforcement agencies on investigations and case management;
Manages complex and unusual cases and legal issues, and assists in preparing strategies to meet challenges from the opposition;
Applies extensive knowledge of State of Arizona statutes, case law, and judicial procedures and knowledge of County operations;
Monitors and reviews trends in law enforcement and criminal justice issues, recommends operational, procedural and policy improvements, and provides guidance on regulatory, legislative and management issues;
Acts as role model and ensures that integrity, professionalism, values, and goals of the assigned Department and County are maintained;
Performs other related duties as assigned.

KNOWLEDGE & SKILLS:

Knowledge of:

- civil, criminal constitutional, or administrative law;
- laws, court decisions, rules of civil and criminal evidence and procedure;
- presenting and arguing cases in court and ability to handle unanticipated problems;
- legal research;
- legal and professional ethics.

Skill in:

- planning, assigning, training, and supervising the work of others;
- analyzing, appraising, and organizing facts, evidence, and precedents to ascertain the determining aspects of cases and presenting material in a clear and logical form;
- reviewing and analyzing complex prosecutorial and defense issues and developing solutions;
- developing, refining, and presenting legal strategies, reviewing legal documents, extracting relevant information, evaluating legal issues and legal system variables and negotiating agreements;
- directing legal strategies and tactics; effectively preparing, presenting and conducting extremely complex cases of law;
- preparing opinions and drafting legal documents;
- setting priorities and developing and directing legal strategies and tactics;
- developing and maintaining professional relationships with victims, witnesses, law enforcement agencies, and members of the community;
- developing and maintaining effective working relationships with others;
- communicating effectively, both orally and in writing.

DESIRED QUALIFICATIONS:

Juris Doctorate. Ten (10) years of previous experience practicing law in criminal, civil, or administrative proceedings.

OTHER REQUIREMENTS:

Licenses and Certificates: Admission to the Arizona State Bar at time of appointment, which must be maintained in good standing. Some positions require a valid Arizona Class D driver license at time of application or appointment and must be maintained as a condition of employment.

Special Notice Items: All positions require the successful completion of a thorough background investigation due to the need for access to detention, courts, corrections and or law enforcement facilities, or associated confidential information, documents and materials.

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

Pima County

Created 10/XX/21