

PUBLIC DEFENDER

DISTINGUISHING FEATURES OF THE CLASS: The Public Defender shall represent without charge or by order of the County with the consent of the individual to be represented each indigent defendant or other person unable to financially retain counsel who is charged with a crime as defined by Section 722 (a) of the County Law. The Public Defender shall counsel and represent the individual at every stage of the proceedings following his arrest and shall initiate such proceedings as in his judgment are necessary to protect the rights of accused or party to litigation and may in his discretion prosecute any appeals if in his judgment the facts and circumstances warrant such. In addition, the Public Defender may assign professional, technical and clerical personnel in the investigation, preparation, conduct and appeal in any court proceedings including Family and Surrogate Court, involving indigent defendants. The work is performed under guidelines provided by law.

TYPICAL WORK ACTIVITIES:

- Assigns counsel or attorneys for each indigent defendant, or other person unable to financially obtain Counsel, who is charged with a crime or is a party entitled to representation pursuant to Article 18-B of County Law;
- Appoints sub -professional, technical and clerical employees to assist in defending indigents;
- Represents and counsels defendants at every stage of the proceedings following an arrest;
- Initiates such proceedings, which are necessary to protect the rights of the accused;
- Prepares any appeals which is warranted under existing circumstances;
- Keeps records and makes reports.

FULL PERFORMANCE KNOWLEDGES, SKILLS, ABILITIES, AND PERSONAL CHARACTERISTICS:

Comprehensive knowledge of the principles and practices of criminal law applicable to state and federal criminal laws; comprehensive knowledge of criminal court procedures and of the rules of evidence, comprehensive knowledge of Family Court and Surrogate Court procedures and New York State Civil practice and procedures law, a high degree of skill in the preparation of legal brief and memoranda; skills in presentations of a defense before a jury; special ability to analyze, appraise and apply legal principles, facts and precedent to legal problems; good command of language; initiative, tact; courtesy; good professional and administrative judgment; good address; physical condition sufficient to perform the essential functions of the position.

MINIMUM QUALIFICATIONS:

- A) Five years of experience as a practicing attorney in the field of criminal law. Three years of which in the aggregate must have involved extensive court appearance in either Trial, Family Law or Surrogate Court.

SPECIAL REQUIREMENTS: Eligibility for admission to practice as an attorney and counselor at law before the courts of the State of New York at the time of application for appointment. Admitted to the Bar of the State of New York and in good standing at the time of appointment.

CATTARAUGUS COUNTY CIVIL SERVICE COMMISSION

Adopted: 5/19/05

