

WALLA WALLA COUNTY
POSITION DESCRIPTION

JOB TITLE: Deputy Prosecuting Attorney I and II

DEPARTMENT: Prosecuting Attorney

REPORTS TO: Chief Deputy Prosecuting Attorney and Prosecuting Attorney

PAY RANGE: Deputy Prosecuting I and II; Full-time; FLSA Exempt; Benefits Apply

JOB SUMMARY: Deputy Prosecuting Attorney with primary duties representing the State of Washington in criminal matters including juvenile, misdemeanor, and felony cases, and Walla Walla County in civil matters, including hearings, trials and appeals. Attorney acts under the direction of the Chief Deputy Prosecuting Attorney and the Prosecuting Attorney. The Deputy Prosecuting Attorney II is responsible for prosecuting a broader range of cases and more complex and difficult cases requiring more advanced trial and legal skills and greater independence in accomplishing work. This is an appointed, at-will position that serves at the pleasure of the elected Prosecuting Attorney.

SUPERVISOR RESPONSIBILITIES: Position has no direct supervisory responsibilities; however, the position may serve from time to time as legal advisor to County departments at the direction of the Prosecuting Attorney. Position must ensure that any assigned Prosecuting Office staff comply with state laws and rules, including but not limited to the Rules of Professional Conduct.

ESSENTIAL FUNCTIONS:

Subject to assignment and approval of the prosecuting attorney, Deputy Prosecutors shall:

- Be legal adviser of the board of county commissioners, giving them [it] his or her written opinion when required by the legislative authority or the chairperson thereof touching any subject which the legislative authority may be called or required to act upon relating to the management of county affairs;
- Be legal adviser to all county and precinct officers and school directors in all matters relating to their official business, and when required draw up all instruments of an official nature for the use of said officers;
- Appear for and represent the state, county, and all school districts subject to the supervisory control and direction of the attorney general in all criminal and civil proceedings in which the state or the county or any school district in the county may be a party;
- Prosecute all criminal and civil actions in which the state or the county may be a party, defend all suits brought against the state or the county, and prosecute actions upon forfeited recognizances and bonds and actions for the recovery of debts, fines, penalties, and forfeitures accruing to the state or the county;
- Attend and appear before and give advice to the grand jury when cases are presented to it for consideration and draw all indictments when required by the grand jury;
- Institute and prosecute proceedings before magistrates for the arrest of persons charged with or reasonably suspected of felonies when the prosecuting attorney has information that any such offense has been committed and the prosecuting attorney shall for that purpose attend when required by them if the prosecuting attorney is not then in attendance upon the superior court;

- Carefully tax all cost bills in criminal cases and take care that no useless witness fees are taxed as part of the costs and that the officers authorized to execute process tax no other or greater fees than the fees allowed by law;
- Receive all cost bills in criminal cases before district judges at the trial of which the prosecuting attorney was not present, before they are lodged with the legislative authority for payment, whereupon the prosecuting attorney may retax the same and the prosecuting attorney must do so if the legislative authority deems any bill exorbitant or improperly taxed;
- Present all violations of the election laws which may come to the prosecuting attorney's knowledge to the special consideration of the proper jury.
- Research legal issues, draft memoranda and legal briefs.
- Prepare civil cases for litigation.
- Prepare and work criminal cases from the initial screening of police reports through trial and appeal.
- At trial, select juries if applicable, try jury/bench trials, perfect appeals and litigate cases involving post judgment review.
- Present and conduct courtroom proceedings necessary for the hearing of assigned cases.
- Determine strategy, including organization, timing and order of evidence presentation, appearance of witnesses and related factors. Ensure Prosecuting Attorney and other concerned parties are informed of case progress and direction.
- Conduct legal research and drafting in connection with cases and for other attorneys, as required.
- Communicate regularly with County officials and employees.
- Exercise discretion and professionalism in working with law enforcement agencies and personnel, and appointed and elected County officials.
- Maintain confidentiality and comply with Rules of Professional Conduct.
- Assist the County in managing risk, complying with federal state and local laws, rules and regulations.
- Keep apprised of changes in statutes, rules and case law that impact the prosecution of criminal cases, the County and its departments.
- Exercise independent decision making and time management.
- Maintain professionalism in stressful situations.
- Other duties as assigned.

EXAMPLE OF DUTIES:

- Screens, reviews, and evaluates factual and legal bases prior to filing criminal cases; requests further investigation by law enforcement as necessary; makes filing decisions and prepares charges to be filed.
- Prepares for motion hearings and trial through witness interviews, legal research, and investigation of facts and information; drafts, prepares, and files appropriate legal documents. Also consults with law enforcement personnel regarding cases.
- Evaluates cases for appropriate disposition; prepares for and participates in plea negotiations with defense counsel as necessary.
- Organizes for trial preparation; drafts and files legal documents and prepares questions and arguments necessary for hearings or trials; notifies and interviews witnesses; reviews evidence.
- Presents and conducts courtroom proceedings; determines strategy, organization, evidence presentation, appearance of witnesses, and jury instructions.

- Provides technical advice and assistance to law enforcement officers, as needed, in the preparation of search warrants, assuring legality of documents.
- Carries an appellate case load of cases he/ she has prosecuted to conviction along with other assigned appeals cases.
- Answers questions and provides information to the public, victims, and others regarding general legal principles, the court process, and other related matters.
- Represent the County in administrative and court hearings.
- Assist the County in responding to Public Records Act requests.
- Assist outside counsel with litigation matters, including coordinating discovery.
- Attend hearings and depositions.
- Assist County officials in developing policies and procedures.
- Be available after hours in emergencies.
- Performs other related duties as assigned.

EQUIPMENT TO BE USED: Utilize all general and specialized office equipment including personal computers, printers, phones, faxes, etc. as part of county operations and the various county software necessary for this position; operate personal or county vehicle.

WORKING ENVIRONMENT / PHYSICAL ABILITIES: Work is primarily performed in the office but may occasionally require work to be performed in the field and may require travel in varying weather conditions. Physical abilities required for this position are ones typically related to office operations including but not limited to manual dexterity and visual acuity to operate computers and other office equipment, ability to sit for extended periods of time, accessing filing cabinets both on and off site, and sufficient hearing and speech ability to communicate. Ability to lift up to twenty (20) pounds.

KNOWLEDGE AND ABILITIES:

- Knowledge of Washington State criminal and civil law and related local statutes, ordinances, case law, and procedures.
- Knowledge of the duties, powers, limitations, and responsibilities of the Prosecuting Attorney's Office.
- Knowledge of the principles, methods, and practices of legal research and investigation and their application.
- Knowledge of judicial procedure and rules of evidence.
- Skill in legal research, investigation, analysis of data, and determination of proper courses of action.
- Ability to analyze legal questions and apply legal principles and practices.
- Ability to plan, prepare, present, and conduct case strategies for criminal or civil cases.
- Ability to interpret and explain codes, statutes, ordinances, and procedures.
- Ability to interview complainants and witnesses.
- Ability to manage heavy caseloads and maintain appropriate records, logs, and case files.
- Ability to establish and maintain effective working relationships with employees, other agencies, and the general public. Collect, organize and analyze data and formulate legal recommendations based upon findings.
- Apply judgment and discretion in resolving problems and interpreting policies and regulations.
- Communicate effectively, both orally and in writing and to make effective presentation of technical, complex and sensitive information.

- Establish and maintain accurate records of assigned activities and operations.
- Operate a computer and utilize word processing software, legal research software and other software in order to accomplish tasks.
- Operate other related office equipment.
- Work in a confidential environment.

EDUCATION, EXPERIENCE AND TRAINING:

- Graduation from a law school accredited by the American Bar Association and must be a licensed attorney in good standing with the Washington Bar Association.
- Requires interest in and knowledge of civil procedure, torts, municipal law, administrative procedure, land use law, public records law, environmental law, and related Washington statutes.

LICENSES AND OTHER REQUIREMENTS: Valid driver's license. Licensed attorney in good standing with the Washington State Bar Association. Must successfully pass a criminal background check and a driving record check.

THIS POSITION DESCRIPTION DOES NOT CONSTITUTE A CONTRACT FOR EMPLOYMENT.