

ORANGE COUNTY
MANAGEMENT CLASS SPECIFICATION

TITLE: ASSISTANT DISTRICT ATTORNEY **GRADE:** 24

TITLE ABBREVIATION: AST DIST ATTY **TITLE NO.:** 560560

JURIS.CL: E **SALARY CODE:** 03 **UNIT:** M **EEO CODE:** PR **FLSA CODE:** PR

DEPARTMENT: DISTRICT ATTORNEY

NATURE OF THE WORK: The Assistant District Attorney (ADA) investigates and prosecutes criminal offenses in the courts of Orange County. The work requires the ADA to attain proficiency in caseload management, case evaluation, conducting and directing investigations, performing legal research, responding to writs and motions, and conducting litigation. Depending on the ADA's level of experience, the ADA may be assigned to prosecute misdemeanor and petty offense cases, or felony cases, or may be assigned to handle appeals in any class of cases. Complexity and seriousness of assigned cases will vary with the ADA's level of experience. Prosecution of cases may involve, among other things: calendar appearances, motion practice, formulation of prosecution plans, trials, grand jury presentations, recommendations for disposition of cases or appeals, plea negotiations, and sentencing proceedings.

CLASSIFICATION CRITERIA AND DISTINGUISHING CHARACTERISTICS: Assistant District Attorneys are appointed by, and serve at the pleasure of, the District Attorney. The duties and responsibilities of the position are broadly assigned and directed by the District Attorney. Work is performed under the direct supervision of more-experienced ADAs, or Senior Assistant District Attorneys, or members of the District Attorney's executive-level legal staff. Assistant District Attorneys have discretion commensurate with their experience in the exercise of independent judgment in the evaluation and prosecution of criminal cases to which they are assigned. Depending on their level of experience, ADAs exercise supervision over their assigned secretaries and office investigators with whom they are working on individual cases on a regular basis.

TYPICAL DUTIES AND TASKS:

Depending on the ADA's level of experience, the ADA may be responsible to, among other things:

- Prosecute cases at the County Court or local court level.
- Request additional police investigation as needed.

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- Manage a caseload, evaluate cases, interview witnesses, and maintain and update case files, in order to appropriately dispose of a case or to make an appropriate recommendation to more-senior staff for disposition of a case.
- Make sentence recommendations, conduct plea negotiations and present plea recommendations to the court.
- Prosecute violations of probation.
- Conduct motion practice and respond to defense requests for discovery.
- Perform legal research and provide written responses to motions.
- Conduct litigation, pre-trial evidentiary hearings, jury and non-jury trials.
- Provide legal assistance to police on felony or misdemeanor cases, review search warrants and provide legal opinions.
- Participate in or conduct training programs as required.
- Assume on-call duty for major or minor crimes, appear at arraignments, and make bail recommendations.
- Respond to crime scenes and provide on-scene legal advice and support to police.
- Prepare and present cases to grand juries, including the following:
 - Review and evaluate physical and testimonial evidence.
 - Review and research applicable legal issues.
 - Make tactical and legal decisions including what evidence to present and what criminal charges to submit to the grand jury.
 - Serve as the legal advisor to the grand jury in cases being presented.

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- Prepare indictments to be filed in County Court.
- Provide the District Attorney with input concerning post-indictment plea offers and sentence recommendations.
- If assigned to the Appeals Bureau, or if otherwise directed:
 - Prosecute appeals in state and federal courts.
 - Review and evaluate post-conviction motions and appeals.
 - Perform legal research and prepare responses to post-conviction motions and appeals.
 - Participate in oral argument at the appellate level including the Appellate Term, Appellate Division and Court of Appeals.
 - Perform appellate and motion work in federal appeals and participate in oral argument in applicable federal courts.
 - Provide legal research and support for trial attorneys.
- Supervise specialized prosecution units as assigned by the District Attorney:
 - Supervise the work of ADAs assigned to the unit in order to ensure the timely and professional completion of assignments.
 - Supervise pre-arrest investigations in conjunction with staff investigators or police investigators.
 - Supervise selected members of the investigative and clerical staff.
 - Observe and evaluate subordinates' performance and participate in annual performance reviews.
 - Identify training needs and inform the District Attorney of those needs.

FULL PERFORMANCE KNOWLEDGES, SKILLS, ABILITIES AND PERSONAL

CHARACTERISTICS: Commensurate with the ADA's level of experience: knowledge of the law, including the New York State Penal Law, Criminal Procedure Law, and other applicable laws that apply to a prosecutor's office; knowledge of the practices and procedures used in the prosecution of criminal cases; knowledge of procedures and techniques used in investigating cases for prosecution; knowledge of the rules of evidence; knowledge of local court procedures, grand jury presentation procedures, and motion practice; knowledge of acceptable principles and practices of interviewing and preparing witnesses; knowledge of procedures used to prepare indictments, motion papers, and subpoenas; ability to conduct litigation; ability to analyze evidentiary and factual issues; ability to research and interpret legal issues; ability to present ideas clearly and effectively, both orally and in writing; ability to evaluate and negotiate settlement of cases in court; ability to administer substantial caseloads and keep timely and accurate records; physical condition commensurate with the demands of the position.

MINIMUM QUALIFICATIONS: Licensure as an attorney in New York State; or, for entry-level ADAs, graduation from law school and completion of the New York State bar examination, without previously having twice failed that examination. Otherwise, any combination of training and experience acceptable to the District Attorney will be considered.

ADOPTED: 5/11/19 AT

Juris. Class Update: 10/12/22 AT