

Civil Division: Oneida County Government  
Jurisdictional Class: Temporary - pending jurisdictional classification (PJC)  
EEO Category: Professional  
Adopted: 04/11/07

### **ASSISTANT PUBLIC DEFENDER (PART-TIME)**

**DISTINGUISHING FEATURES OF THE CLASS:** The incumbent in this position assists the Public Defender in the representation of indigent persons, charged with crimes at all stages of a criminal proceeding. An incumbent keeps abreast of all procedures and policies within the Public Defender's Office, and assists the Public Defender in maintaining law files required in criminal defense of an accused. The Assistant Public Defender (Part-time) shall not engage in any practice of the law or other endeavor that either may cause or actually be, a conflict of interest with his or her duties as an Assistant Public Defender, or would interfere in any manner with his or her duties as defined by the Public Defender. The Assistant Public Defender (Part-time) shall do related work as required or assigned by the Public Defender.

**TYPICAL WORK ACTIVITIES:** (Illustrative Only)

Represents indigent clients charged with crimes as assigned by the Public Defender;  
Represents and counsels clients at every stage of the proceedings following an arrest;  
Prepares motions and other legal documents necessary to protect the rights of the accused;  
Keeps informed of the policies and procedures of the Public Defender;  
Stays abreast of changes in statutory and case law affecting the practice of criminal law;  
Attends appropriate training seminars and conferences mandated by the Public Defender or are necessary to maintain proficiency in the practice of criminal law or are required to maintain good standing to practice law in the State of New York;  
Assists in representing clients in the various city, town and village courts within Oneida County;  
Visits county and state correctional facilities within New York state or as otherwise directed by the Public Defender to consult with clients, witnesses, and such other persons necessary to properly represent clients;  
Assists in preparing any appeal taken or assigned to the Public Defender;  
Maintains records and prepares reports required in the course of the practice of criminal law as those records and reports required by the Public Defender;  
Performs administrative duties as assigned including but not limited to the supervision of paralegal, investigative, support staff and other assistant public defenders as directed by the Public Defender;  
When designated, represents the public Defender at meetings with judges, organizations, local and state officials, and other groups and persons.

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**FULL PERFORMANCE KNOWLEDGE, SKILLS, ABILITIES AND PERSONAL CHARACTERISTICS:**

Good knowledge of principles and practice of New York State and federal criminal law; good knowledge of criminal court procedures, rules of evidence, pretrial procedures and hearings, and grand jury practice; good knowledge of civil law practice, and procedures as they relate to the practice of criminal law; good knowledge of research, preparation and drafting of briefs, motions, and other legal documents; good knowledge of collateral consequences of a conviction including immigration and deportation problems; trial skills including *voir dire*, presentation of opening and closing statements, ability to present a defense before a jury and a court, direct and cross-examination of witnesses including expert witnesses, post-trial and post-conviction proceedings including sentencing; ability to analyze, appraise and apply legal principles and precedents to factual situations; command of the written and spoken English language; sound legal, professional and administrative judgment; initiative, tact and courtesy.

**MINIMUM QUALIFICATIONS:**

Admission to the bar of the State of New York and in good standing with the Appellate Division of admission. (Candidates must be eligible for admission to practice law in the State of New York and awaiting admission at the time of application, but MUST be admitted at the time of appointment.)

**SPECIAL REQUIREMENT:** All Assistant Public Defenders are responsible for maintaining good standing with their Appellate Division of admission including the mandatory continuing legal education (CLE) requirements set forth by the Office of Court Administration, the true and accurate reporting and timely filing of the new York State Attorney Registration Form and the prompt payment of the biennial attorney registration fee. All assistant public defenders shall provide proof of good standing to practice law in the State of New York annually and within sixty (60) days of his or her birthday by filing a Certificate of Good Standing from the Appellate Division of their admission to the public Defender.

**New York State Driver's License:**

The incumbent must possess a valid New York State driver's license at the time of appointment and must maintain license throughout appointment. A valid driver's license from another jurisdiction is acceptable for application, but must possess a valid New York State driver's license upon appointment.