



Deputy County Attorney II

Job Description

Department: Attorney
Position: Career Service
Grade: 731
Supervisory: No
Reports to: Varies by assignment

Summary

Under general guidance and direction of the assigned supervisor and according to the Utah County Attorney Policies and Procedures, performs duties as assigned within the functional divisions of the Attorney's office. Duties may include prosecuting criminal offenses and providing legal counsel and advice on matters of civil law. Assignments are made at the sole discretion of the County Attorney and may be modified at any time.

Essential Functions

Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

1. Represent Utah County in court or before government agencies and judicial and administrative hearings, including but not limited to grand jury proceedings, pre-trial hearings, bench and jury trials, sentencing, and post-conviction hearings.
2. Argue misdemeanor appeals before State appellate courts.
3. Negotiate case resolution with defendants and with defense counsel.
4. File legal actions and civil and criminal complaints against violators of County ordinances on behalf of Utah County.
5. Interpret laws, rulings, and regulations for individuals, businesses, and the County; review reports of cases decided by State and Federal appellate courts; prepare legal briefs and memos; provide accurate and timely legal memoranda and opinions to other governmental departments, agencies, officials, and the courts, conduct complex research, as needed.
6. Study Federal and State Constitutions, statutes, decisions, regulations, and ordinances of quasi-judicial bodies to determine ramifications for cases; monitor pending legislative and appellate court actions and inform law enforcement agencies of changes to criminal laws or procedures; research relevant legal materials to aid decision making; identify implications for cases from legal precedents or other legal information.
7. Perform legal research and prepare written pleadings and memoranda for assigned cases; provide legal counsel and advice to County departments, as assigned.

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Job Code: 2712
Job Title: Deputy County Attorney II
FLSA: Exempt
Effective Date: 10/9/2023
Public Safety: No

Worker's Compensation: Clerical
Background Level: I
Safety Sensitive: No
DOT: No
ML: Individual Contributor

8. Gather, review, and evaluate evidence to formulate defense or initiate legal actions; interview clients and witnesses to ascertain facts of a case; interview claimants; apply statutory, procedural, and case laws; make charging, referral, plea bargain, and other prosecution decisions based upon County Attorney Policies and Procedures and other guidance.
9. Analyze probable outcomes of cases; identify implications for County cases from legal precedents or other legal information.
10. Review requests for search warrants, arrest warrants, wire taps, and subpoenas; prepare administrative and investigative subpoenas; approve requests for extraditions.
11. Meet with law enforcement officers, government agencies, the public, and other department staff; attend required meetings, trainings, and seminars.
12. Exemplify the desired culture and philosophy of the organization.
13. Work effectively as a team member with other members of management and the Utah County Attorney office staff.

May be assigned duties and responsibilities from one or more of the following functional areas:

Criminal Division

1. Prosecute general felony criminal offenses in Utah State District Court in addition to cases in Juvenile Courts and the Utah County Justice Court; evaluate strengths and weaknesses of prosecution's case and prepare cases for presentation in court.
2. Represent the County and State at hearings, arraignments, entry of plea, orders to show cause, waiver hearings, pretrial conferences, preliminary hearings, trials, sentencing, misdemeanor appeals, and post-conviction hearings, as assigned; attend the same in the place of other attorneys, as needed.
3. Review files, screen police reports, provide legal advice to investigators at crime scenes, and interview law enforcement officers, victims, and witnesses.
4. Evaluate cases under investigation by police agencies regarding the existence, nature, and degree of offenses; consult with department attorneys and police officers regarding the offenses and authorize the issuance of criminal charges.
5. Consult with, train, and provide legal advice and support to outside law enforcement agencies concerning criminal law and criminal investigations; provide legal advice and support; attend meetings and trainings, as assigned.

Civil Division

1. Represent County and assigned departments in civil litigation in State and Federal trial courts, appellate courts, and judicial and administrative hearings, including but not limited to pre-trial hearings, bench and jury trials, and post-conviction hearings.
2. Prepare County defense and advise County officials in settlement of claims.
3. Review documents and issue written legal opinions to advise County departments and officials.
4. Represent County and State agencies in enforcement and collection matters, when requested.

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5. Prepare, review, and oversee the preparation and review of contracts and finance documents for multiple County departments; review bonding and financing documents through closing.

Knowledge, Skills, and Abilities

- Knowledge of litigation proceedings, including the Criminal Code
- Knowledge of Rules of Evidence, Civil Procedure, Criminal Procedure, Juvenile Procedure, and Appellate Procedure
- Knowledge of the Utah State Code
- Skilled in litigation and trial advocacy
- Skilled in conducting legal research
- Skilled in document composition
- Skilled in legal composition, including legal briefs, memos, ordinances, and agreements
- Skilled in analytical problem solving
- Skilled in decision making under adversarial circumstances
- Skilled in using various software programs unique to Utah County and the Attorney's Office
- Skilled in negotiations
- Ability to maintain cooperative working relationships with those contacted in the course of work activities
- Ability to maintain knowledge and skills relevant to current case decisions and legislation
- Ability to communicate effectively verbally and in writing
- Ability to accurately and timely maintain files, records, and reports
- Ability to coordinate multiple tasks efficiently
- Ability to interact with individuals from diverse social, economic, and ethnic backgrounds in a professional manner

Incumbents may be required to possess or acquire additional knowledge, skills, and abilities specific to functional areas of assignment and/or specialty assignments. Said knowledge, skills, and abilities may include, but are not limited to the following:

- Considerable knowledge of criminal statutes, all phases of civil substantive law, civil procedure, and federal and state court rules of practice
- Considerable knowledge of civil statutes specific to assignment
- Knowledge of local government legislation
- Knowledge of public financing, bonding, and legislation specific to assignment

Supervisory Responsibility

This position has no direct supervisory responsibility but does serve as a coach and mentor for other positions in the department.

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Work Environment

Work is typically performed in a professional office environment. Work routinely requires the use of standard office equipment such as a laptop, desktop, smartphone, photocopiers, shredders, and filing cabinets. Work occasionally exposes the incumbent to high-stress situations, including contact with clients and/or the public in uncomfortable, confrontational, and emotionally charged circumstances. Work may expose the incumbent to unknown, dangerous, or hostile conditions. The noise level in the work environment is usually moderate. The incumbent may be required to drive Utah County owned vehicles in the course of conducting County business and must abide by the Utah County Vehicle Policy.

Physical Demands

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job.

While performing the duties of this job, the employee is required to use manual dexterity to handle, feel, and operate objects, tools and controls, and reach with hands and arms. The employee is frequently required to sit, stand, talk, and hear. Specific vision abilities required by this job include close vision, ability to adjust focus, and ability to distinguish between shades of color and patterns. The employee works for sustained periods of time maintaining concentration and attention to detail. The employee is required to type, file, and lift or move supplies up to twenty (20) pounds. The employee regularly drives a motor vehicle.

Position Type / Expected Hours of Work

Incumbent must work eighty (80) hours each pay period to maintain full-time status. There may be availability to work out a flex schedule ahead of time that works for both the County and the employee. Occasional to frequent evening and weekend work may be required as job duties and assignments demand.

Travel

Travel is primarily local during the business day, although some out-of-area and overnight travel may be expected, up to five (5) percent.

Required Education and Experience

1. Juris Doctor degree from an accredited law school.
2. Three (3) years of legal experience as an attorney.

Additional Eligibility Qualifications

1. Applicants must possess and maintain valid membership in the Utah State Bar Association.
OR
Applicants must possess valid licensure in an out-of-state Bar Association with rights to practice in Utah per the Judicial Council Code of the Judicial Administration, and if selected, must obtain

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valid membership in the Utah State Bar Association during the probationary period for new hires or during the trial period for promoted County employees. Incumbents must maintain valid licensure during employment.

2. Applicants must possess a valid driver's license and obtain a valid State of Utah driver's license within sixty (60) days of employment.
3. Selected applicants will be required to submit to a pre-employment drug screen and background check.

Career Ladder Advancement

For career ladder advancement from a lower classification level of this series to a higher one, there must be funding in the budget and the employee must:

1. Possess the required licensure and certifications of the higher classification level.
2. Meet the education and experience requirements and the class characteristics of the higher classification level.
3. Receive written recommendation from the department head.
4. Receive approval from the Director – Human Resources.

AAP/EEO Statement

It is the policy of Utah County Government to assure equal employment opportunity to its employees and applicants for employment without regard to race, color, religion, national origin, disability, age, sex, sexual orientation, genetic status or gender identity.

Other Duties

Please note this job description is not designed to cover or contain a comprehensive listing of activities, duties, or responsibilities that are required of the employee of this job. Duties, responsibilities, and activities may change at any time.

Utah County Government is a drug-free workplace.

Acknowledgement below to be completed after an offer has been extended and accepted.

This job description has been approved by the Office of Human Resource Management in consultation with the Department Head.

Signature below constitutes an understanding of the requirements, essential functions and duties of the position.

Candidate / Employee _____ Date _____

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