

## **PUBLIC DEFENDER**

**DISTINGUISHING FEATURES OF THE CLASS:** The Public Defender shall represent, without charge or by order of the Court with the consent of the defendant, each indigent defendant who is charged with a crime as defined by Section 722(a) of the County Law. The work involves responsibility for directing the investigation, preparation and counsel of the defendant at every stage of the proceedings following arrest and shall initiate such proceedings as are necessary to protect the rights of the accused and may prosecute any appeals if 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 involving indigent defendants. The work is performed under guidelines provided by law. Does related work as required.

### **TYPICAL WORK ACTIVITIES:**

Supervises and administers the Office of the Public Defender;  
Supervises assigned professional and clerical staff;  
Prepares the budget for the operation of the Office;  
May secure the services of experts in various fields to assist in defending indigent;  
Assigns counsel or attorneys for each indigent defendant who is charged with a crime;  
Determines who is eligible for representation by the Office of the Public Defender and reviews for conflict of interest;  
Represents and counsels defendants at every stage of the proceedings following an arrest, including negotiations, trial preparation and courtroom proceedings;  
Initiates such proceedings which are necessary to protect the rights of accused;  
Prepares and processes any appeal which is warranted under existing circumstances;  
Keeps records and makes reports.

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

Comprehensive knowledge of the general structure of New York State Criminal Procedures Law;  
Comprehensive knowledge of the criminal court procedures and of the rules of evidence;  
Comprehensive knowledge of the procedures of filing and processing legal appeals;  
Thorough knowledge of the accurate practices and procedures in presenting cases before courts, Grand Jury and hearings;  
Thorough knowledge of legal research practices, procedures and techniques;  
Good knowledge of acceptable principles and practices of interviewing witnesses and preparation of witnesses;  
Skill in preparing briefs;  
Skill in presentation of a defense before a jury;

Ability to assign, distribute and evaluate the work of attorneys, investigators and clerical staff in a manner conducive to high morale;

Ability to make immediate and just decisions on vital matters;

Ability to analyze facts and evidence;

Ability to present ideas clearly and effectively both orally and in writing;

Ability to cross examine witnesses and negotiate settlements of cases;

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 judgement;

Physical condition commensurate with the demands of the position.

**SUGGESTED MINIMUM QUALIFICATIONS:**

Duly admitted to practice law in the State of New York\*

\*In accordance with (C2201) of the Broome County Charter.

**SPECIAL REQUIREMENT:** Incumbents in this position are required by the County Legislature to reside within the County of Broome, OR an adjoining county (TIOGA, CORTLAND, DELAWARE OR CHENANGO) at all times during their employment in the title.

Jurisdictional Classification: Exempt