

PUBLIC DEFENDER

DISTINGUISHING FEATURES OF THE CLASS: Represents, when requested, indigent defendants charged with crimes. 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 Public Defender shall also represent, without charge, in a proceeding in family court or surrogate's court, who is financially unable to obtain counsel. The Public Defender shall counsel and represent the defendant at every stage of the proceedings following his/her arrest, and shall initiate such proceedings as in his or her judgement as necessary to protect the rights of the accused; and may at his or her discretion, prosecute any appeals if in his or her judgement 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 to be performed under guidelines provided by law. Does related work as required.

TYPICAL WORK ACTIVITIES: (Illustrative Only)

Supervises and administers the Office of the Public Defender; Assigns counsel or attorneys for each indigent defendant who is charged with a crime or in a proceeding in family court or surrogate's court; Appoints and supervises sub-professional, technical and clerical employees to assist in defending indigents; 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; Initiates such proceedings which are necessary to protect the rights of the accused; Prepares 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 principles and practices of criminal law applicable to State and Federal criminal laws; Comprehensive knowledge of criminal court procedures and of the rules of evidence; A high degree of skill in the preparation of briefs; Skill in presentation of defense before a jury; Special 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; Good address.

MINIMUM QUALIFICATIONS: Seven (7) years of experience as a practicing attorney in the field of criminal law and/or family court proceedings; Five (5) years of which, in the aggregate, must have involved extensive court appearance in the trial of issues in such fields.

SPECIAL REQUIREMENT: Eligibility for admission to practice as an attorney and counselor at law before the courts of the State of New York at the time of application. Admission to the Bar of the State of New York at the time of appointment.

SPECIAL REQUIREMENT: Incumbents in this position are required to reside within the county of Delaware at all times during their employment in the title.

NOTE: A valid New York State driver's license is required at time of appointment and maintained during employment.

Adopted 3/26/19 (pjc)

Reviewed: 10/5/20