



HIDALGO COUNTY

Personnel Adjustment Request Form

DEPARTMENT NAME/NUMBER: District Attorney (080-007)

DATE: 04/15/10

CURRENT POSITION TITLE: N/A

CURRENT SLOT. #: 0060

REQUESTED POSITION TITLE: Assistant District Attorney

REQUEST FOR:

New Position Temporary Position Position Reclassification* Other Supplement Salary _____

*Civil Service Positions are submitted to the Civil Service Commission.

POSITION SALARY REQUEST:

Salary Amount: \$ 0.00 \$ 7,750.00 \$ 7,750.00
Current Budgeted Salary Proposed Budgeted Salary Net Change

(* PROPOSED BUDGETED SALARY IN THE AMOUNT OF \$7,750.00 IS A COST ALLOCATION FOR 080-012-0001)

Position to be funded from one of the following:

Current Department Budget Annual Budget Cycle Will Require Additional Funds

Other _____

POSITION Type:

Full Time Employee Object 113 Part Time Employee Object 114 _____

Enter hourly rate for temp. positions

Full Time Temporary Object 121 Part Time Temporary Object 122 \$ _____
Hourly Rate * 2,080 hrs. per year = Annual Salary

TEMPORARY POSITIONS:

Start Date End Date Working Days & Hours Hours Per Week Duration (2 weeks, 3 months, etc.)

CIVIL SERVICE: FLSA:
Exempt Exempt
Non-Exempt Non-Exempt
N/A

JUSTIFICATION/PRIORITY: (Explain why this position or adjustment request is essential)

TO BE COMPETITIVE, NEED TO INCREASE TOTAL COMPENSATION FOR SLOT NO. 001 FROM THE BORDER PROSECUTION INITIATIVE FUND
(1281). IN NEED OF NUMEROUS YEARS OF EXPERIENCE WITH EXPERTISE IN THE PROSECUTION OF CRIMINAL CASES.

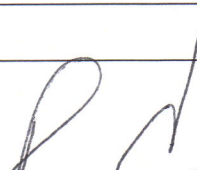
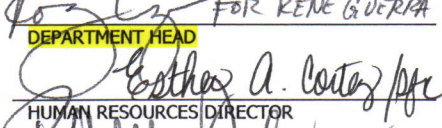
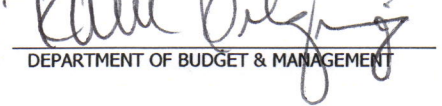
NEW POSITION: Brief job description and attach a copy of the new job description.

POSITION RECLASSIFICATION: Explain change and /or increase in duties and responsibility. (Attach new job description)

COMMENTS: (Any comments you wish to make regarding this request)

HUMAN RESOURCES: Classification and Salary Recommendation

BUDGET & MANAGEMENT: Classification and Salary Recommendation

1.	 FOR RENE GUERRA DEPARTMENT HEAD	4/16/2010 DATE	FUNDING AVAILABLE IN DEPT. BUDGET	<input type="checkbox"/> YES	<input type="checkbox"/> NO
2.	 ESTHER A. CORTAZ p/c HUMAN RESOURCES DIRECTOR	04-16-10 DATE	PERSONNEL PROCEDURES COMPLETED	<input type="checkbox"/> YES	<input type="checkbox"/> NO
3.	 RENE GUERRA DEPARTMENT OF BUDGET & MANAGEMENT	4/16/2010 DATE	BUDGET PROCEDURES COMPLETED	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
4.	COMMISSIONERS COURT APPROVAL	DATE			

Hidalgo County District Attorney's Office Job Description

Job Title: **Assistant District Attorney**

Summary: Research and prepare appellate briefs on felonies, misdemeanors, juvenile, bond forfeitures, and other type of criminal cases to include government procedures and other research issues that arise. Screens and charges various cases (including complex or sensitive cases and/or cases involving major crimes) for which the District Attorney's Office has responsibility; and/or prepares investigates and litigates various cases filed with the District Attorney's Office, including cases involving major crimes.

Essential Duties and Responsibilities:

Other duties may be assigned.

- ◆ Screening and preparation of felony files for presentation to grand jury.
- ◆ Screening and preparation of misdemeanor files for filing of criminal complaints.
- ◆ Screening and preparation of juvenile files for filing of petition.
- ◆ Screening and preparation of child welfare cases for filing.
- ◆ Screening and preparation of forfeiture files within the 30 day limitation for filing.
- ◆ Interview with relatives of mental patients to determine if person can be committed.
- ◆ Interviews with person assaulted and determine if a protective order can be filed on behalf of victim.
- ◆ Direct peace officers from all agencies in Hidalgo County on the extent and quality of their criminal investigation.

- ◆ Drafts and prepares legal criminal indictments for all felonies presented to the Grand Jury.
- ◆ Does legal research on abnormal and unusual criminal situations that arise frequently.
- ◆ Reads and understands all current reported criminal cases in legal texts to keep current on law changes.
- ◆ Visits various crime scenes to determine if evidence is legally sufficient.
- ◆ Presents felony cases to the Grand Jury.
- ◆ Subpoenas witnesses before the Grand Jury.
- ◆ Sets and/or recommends bond amounts for all criminal cases presented to the Grand Jury.
- ◆ Responds to correspondence or phone calls from persons making inquiries or requesting information.
- ◆ Negotiates with defense attorneys and victims regarding pleas.
- ◆ Research and prepare appellate briefs on felonies, misdemeanors, juvenile, bond forfeitures, etc..
- ◆ Work on responses for Writs.
- ◆ Research different issues pertaining to procedures of law or county government.
- ◆ May draft final orders, temporary orders, motions to modify further temporary orders, motions to appoint attorneys, motions regarding service of process, or other court documents applicable to prosecution of assigned cases.
- ◆ Tries felonies, misdemeanors, juveniles, forfeitures, protective orders, mental cases and Class C ticket violations in their respective courts.
- ◆ Review incoming cases.
- ◆ Prepares and files responses to post conviction writs.
- ◆ Assists the District Attorney in formulating department policies and procedures.
- ◆ Assures and unit's policies and procedures are properly discharged in keeping with department's established mission goals and objectives.

- ◆ Screen and reviews complex or sensitive cases to determine the legal and factual sufficiency of the case and directs the gathering of additional information.
- ◆ Confers with District Attorney, defense attorneys, investigators, law enforcement officials, probation authorities, victims, witnesses (including expert witnesses) and other parties concerning assigned cases.
- ◆ Assists subordinate attorneys with jury trials, revocations, examining hearing, juvenile hearing, family matters and civil actions including forfeitures. Responds to questions of colleagues, etc.
- ◆ Is available, on a rotating basis, 24 hours a day to assist law enforcement agencies by answering legal questions, assisting with crime scene work and advising law enforcement on legal issues.

Qualification Requirements: To perform this job successfully, an individual must be able to perform each essential duty satisfactorily. The requirements listed below are representative of the knowledge, skill, and/or ability required. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

Computer knowledge:

Must have personal computer knowledge. Ability to learn new computer software. Must be familiar with MS Window products.

Education and/or Experience:

J.D. or L.L.B. degree from an accredited law school.

Language Skills:

Ability to read, analyze and interpret the most complex documents. Ability to respond effectively to the most sensitive inquiries or complaints. Ability to write speeches and articles using original or innovative techniques or style. Ability to make effective and persuasive speeches and presentation on controversial or complex topics to top management, public groups, and/or boards of directors.

Mathematical Skills:

Ability to work with mathematical concepts such as probability and statistical inference. Ability to apply concepts such as fractions, percentages, ratios, and proportions to practical situations.

Reasoning Ability:

Ability to define problem(s), collect data, establish facts, and draw valid conclusions. Ability to interpret an extensive variety of technical instructions in mathematical or diagram form and deal with several abstract and concrete variables.

Certificates, Licenses, Registrations:

License from the Texas State Bar to practice law in the State of Texas.

License to practice in Federal District Court is preferred.

Texas Operator's Drivers License. Attorneys use their own private vehicle and not a county car.

Other Skills and Abilities:

- ◆ Thorough knowledge of judicial principles and of criminal and civil law and procedures, including constitutional as well as statutory law.
- ◆ Ability to analyze and appraise facts, procedures and legal precedents affecting complex court cases in area of specialty.
- ◆ Ability to present facts and precedents effectively in court and writing in complex or sensitive cases.
- ◆ Familiarity with general investigative techniques.
- ◆ Ability to train, motivate, supervise and develop subordinate professionals.
- ◆ Excellent judgment and management abilities.
- ◆ Ability to conduct complex legal research and to apply negotiating skills.
- ◆ Ability to try major cases, including managing relationships with the public and the media.
- ◆ Ability to establish and maintain effective working relationships with other county employees and officials, court personnel, other attorneys and the general public.
- ◆ Specific knowledge of the following areas: Texas Code of Criminal Procedures, Texas Penal Code, Texas Family Code, child abuse and neglect, and/or business ethics and public law.

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

- ◆ While performing the duties of this job, the employee is regularly required to sit. The employee is required to use hands to finger, handle, or feel objects, tools, or controls. The employee is

occasionally required to stand; walk; reach with hands and arms; stoop, kneel, crouch, or crawl; and talk or hear.

- ◆ The employee must occasionally lift and/or move up to 15 pounds and occasionally lift and/or move up to 100 pounds. Employee carries and or moves evidence, briefcase, etc. Specific vision abilities required by this job include close vision, distance vision, peripheral vision, depth perception, and the ability to adjust focus.

Work Environment: The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

- ◆ While performing the duties of this job, the employee is occasionally exposed to fumes or airborne particles.
- ◆ The noise level in the work environment is usually moderate.
- ◆ Must have a clear criminal record and must submit to a drug test.