

## **PUBLIC DEFENDER**

**JOB CODE:** 1160  
**DEPARTMENT:** Tioga County Public Defender  
**CLASSIFICATION:** Exempt  
**SALARY GRADE:** Non-Union  
**ADOPTED:** 9/92; Revised 5/09, 12/13; Tioga Co. Personnel & Civil Service

**\*PUBLIC OFFICER, 3 year term**

**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. In addition, the Public Defender shall represent, without charge, in a proceeding in family court or surrogate's court in Tioga County, any person entitled to counsel pursuant to section two hundred sixty-two and section eleven hundred twenty of the family court act and section four hundred seven of the surrogate's court procedure act, or any person entitled to counsel pursuant to article six-C of the correction law, who is financially unable to obtain counsel. The work involves responsibility for directing the investigation, preparation and counsel of such person at every stage of the proceedings and shall initiate such proceedings as are necessary to protect the rights of such person 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 persons. The work is 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;
- 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 representing indigents;
- Assigns counsel or attorneys for each indigent person;
- Determines who is eligible for representation by the Office of the Public Defender and reviews for conflict of interest;
- Represents and counsels indigents at every stage of the proceedings, including negotiations, trial preparation and courtroom proceedings;
- Initiates such proceedings which are necessary to protect the rights of the indigent;
- Prepares and processes any appeal which is warranted under existing circumstances;
- Keeps records and makes reports.

**FULL PERFORMANCE KNOWLEDGE, SKILLS, ABILITIES & PERSONAL CHARACTERISTICS:** Thorough knowledge of the general structure of applicable New York State statutes, rules and regulations; thorough knowledge of the court procedures and the rules of evidence; thorough 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 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 morals; 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 judgment; physical condition commensurate with the demands of the position.

**PREFERRED QUALIFICATIONS:** Duly licensed to practice law in the State of New York.

Pursuant to County Law § 716, public defender and deputies are designated as an appointive officer" and therefore falls under Public Officers Law §3.