

ASSISTANT COUNTY ATTORNEY

DISTINGUISHING FEATURES OF THE CLASS: Under the general direction of the County Attorney, an incumbent of this class is responsible for specialized professional work in the handling of legal problems, administrative hearings and trials arising in the operation of county departments, boards and commissions. The incumbent renders legal counsel to department heads and other officials and represents the county in New York State and Federal Courts to insure that the interests of Westchester County are fully represented. Some latitude is given for the exercise of independent judgment in assigned matters, with a superior (Senior Assistant County Attorney, Deputy County Attorney or County Attorney) available for supervision, consultation and/or advice. Supervision is not generally a function of this position. Work is performed in an automated systems environment. Does related work as required.

EXAMPLES OF WORK: (Illustrative Only)

Acts as trial counsel in actions brought for, or against the County, its officers and employees in the state and federal courts;

Renders written and oral legal opinions to County Officials, department heads, boards, commissions, and agencies covering a wide range of subjects including civil service, correction, administrative, constitutional, environmental, labor, health and family law, in order to insure compliance with the law;

Investigates, prepares for and conducts hearings and administrative proceedings involving County employees pursuant to Civil Service law;

Represents the County in proceedings pursuant to employment discrimination before the New York State Division of Human Rights by conducting legal research and submitting documents for submission to the Division of Human Rights;

Reviews summons and complaints served upon the County and its departments as defendants by investigating claims, consulting departmental personnel, preparing motion papers and legal memoranda, conducting pre-trial discovery, engaging in settlement negotiations with opposing counsel;

Represents the County in State Supreme Courts or Appellate Courts proceedings pursuant to Article 78 of the Civil Practice Law and Rules by reviewing petitions and supporting papers, consulting with departmental officials, drafting motions to dismiss for Court filing, consulting with opposing counsel, and representing County at trial;

Represents the County in Federal and State Appellate Courts through the use of Appeals, briefs, motions and oral argument to protect the interests and liability of the County;

Drafts legislation and prepares committee reports and transmittals on behalf of the County Executive;

Prepares cases by researching questions of law and interpretation of statutes, and interviewing or consulting other parties (i.e., caseworkers, attorneys, witnesses, individuals involved with the case);

EXAMPLES OF WORK: (Cont'd.)

Prepares legal documents such as contracts, leases, legislative resolutions, acts and local laws;

Conducts extensive legal research on subjects pertaining to court actions and county issues;

Represents the County Clerk in the issuance, monitoring and revocation of pistol permits through investigation, contact with law enforcement agencies and County Court proceedings designed to safeguard the public against dangerous gun possession while ensuring the public's constitutional right to bear arms;

Represents the County in real estate transactions involving real property acquired, owned or sold by the County;

Prepares cases for litigation, arranges for the service of legal papers, interviews and prepares witnesses, develops strategies, prepares and researches legal documents, negotiates settlements with opposing litigation and litigates case when negotiations fail;

Uses computer applications or other automated systems such as spreadsheets, word processing, e-mail and database software;

May perform incidental tasks, as needed.

FULL PERFORMANCE KNOWLEDGE, SKILLS, ABILITIES AND ATTRIBUTES: Good knowledge of constitutional law, municipal law; familiarity with the County Law and the Charter and Administrative Code of Westchester County; ability to present arguments clearly both orally and in writing; ability to organize material; ability to establish and maintain effective work relationships; ability to comprehend and carry out complex oral and written instructions; ability to effectively use computer applications such as spreadsheets, word processing, e-mail and database software; ability to read, write, speak, understand and communicate in English sufficiently to perform the essential tasks of the position; ability; initiative; tact; sound judgment; ethical conduct in the practice of law; physical condition commensurate with the requirements of the position.

MINIMUM ACCEPTABLE TRAINING AND EXPERIENCE: Graduation from a school of law with an LL.B.* or J.D.* degree.

*SPECIAL NOTE: Education beyond the secondary level must be from an institution recognized or accredited by the Board of Regents of the New York State Education Department as a post-secondary, degree-granting institution.

SPECIAL REQUIREMENTS: Admission to the Bar of the State of New York.

NOTE: Unless otherwise noted, only experience gained after attaining the minimum education level indicated in the minimum qualifications will be considered in evaluating experience.

West. Co.
J.C.: Exempt †
NASE 1

Job Class Code: E0125
Job Group: XIII