

**POSITION DESCRIPTION  
FOR  
BIG STONE COUNTY**

JOB TITLE: County Attorney (Appointment for the remainder of the retiring current County Attorney. The current term ends January 2019)*		POSITION SUPERVISES: Legal Assistant	
DEPARTMENT: County Attorney		FLSA STATUS: Exempt	
REPORTS TO: County Board		BARGAINING UNIT: Non-Union	HOURS WORKED: Exempt
GRADE:	JOB POINTS:	DATE GRADE/POINTS ESTABLISHED:	
DESCRIPTION APPROVED BY: County Attorney/County Board		DATE APPROVED: 2/7/2017	

**PART I – JOB SUMMARY**

Advises and assists the County and its agencies on all legal matters. Represents the County in all civil and criminal court proceedings, prosecutes all felony, gross misdemeanor and criminal matters in the County. Prepares and drafts legal memoranda, pleading and complaints. Prepares, drafts and reviews contracts, policies and procedures. Supervises and directs department staff.

\*The position of County Attorney is an elective position and election for the next term is in November 2018.

**PART II – JOB SPECIFICATIONS**

- A. EDUCATION AND EXPERIENCE: Juris Doctorate and license to practice as an attorney of law in the State of Minnesota. Ongoing legal education as required by the State of Minnesota to maintain a license to practice law is required. A minimum of 3 years of recent, progressive, related public legal experience preferred.
- B. CREDENTIALS: License to practice law in the State of Minnesota.
- C. LICENSE: Valid Minnesota Class D drivers' license and good driving record.
- D. CONTINUING EDUCATION: As required to maintain law license.
- E. PERSONAL COMPUTER (PC) COMPETENCIES: Advanced word processing skills and knowledge of other office software including Microsoft Office products. Knowledge of general office equipment including, but not limited to; copier, fax, radios, telephones, computers and printers. Ability to utilize various software programs.
- F. EMPLOYMENT VARIABLES: Hours vary based on needs of the County Attorney. Is available at all hours for legal consultation with law enforcement and social services in emergency situations.
- G. PROFESSIONAL AFFILIATIONS: Minnesota County Attorneys Association
- H. JOB RELATIONSHIPS: This position reports directly to the Board of Commissioners.

**PART III – ESSENTIAL FUNCTIONS OF JOB**

The following duties are normal for this job. These are not to be construed as exclusive or all-inclusive.

- Consults with and advises law enforcement preparatory to drafting complaints and juvenile delinquency petitions. Makes determinations regarding criminal charges and delinquency allegations.
- Prepares cases for trial or hearing including deciding which evidence and/or witnesses to present. Prepares witnesses for trial. Determines appropriate sentencing recommendations. Conducts criminal and delinquency prosecutions. Discusses and negotiates plea bargains with opposing counsel.
- Represents the County at all preliminary hearings (i.e. pre-trials, omnibus hearings, evidentiary hearings, etc.) involving witnesses of court proceedings and reviews all testimony before trial/hearing.
- Represents the County in regards to extraditions.
- Represents the County in right of way and other land acquisitions including representing the County in condemnation actions.
- Receives and reviews child protection reports. Prepares child protection and/or termination of parental rights petitions. Represents the County throughout the child protection and/or termination proceedings, including trial and trial preparation.
- Provides support, guidance and advice to department heads concerning interpretations of civil matters such as property rights, suits, workers' compensation claims or similar contests or issues pertaining to County officers.
- Consults with and advises County child support office regarding paternity, child support, welfare and URESA matters. Prepares summons, complaints and motions. Attends hearings in district court and in expedited process, including appeals.
- Reviews law enforcement reports, determines whether it justifies a complaint, determines what charges to file (if any) and prepares all subsequent professional legal work through the prosecution.
- Drafts warrants and information, prepares search warrants, directs investigations, witness interviews, conducts legal research, prepares memoranda of law and briefs supporting trial tactics, motions, jury instructions and drafts pleadings and proposed findings, orders and judgments.
- Consults, advises and represents the County in welfare appeals and chemical dependency/mental illness commitments.
- Attends various County commission meetings. Drafts language to be used in County board and commission policies.
- Consults and advises the County Board and department heads regarding their respective powers and duties.
- Enforces ordinance violations including commencing legal actions for civil enforcement of existing ordinances and statutes related to County functions.
- Drafts legal documents for the County including, but not limited to, contracts, agreements, ordinances, orders and easements.
- Performs collections functions for the County.
- Prepares, plans and administers department budget. Reviews staff timekeeping and reimbursement requests. Conducts annual performance evaluations of department staff.
- Ensures that information maintained by the office is kept confidential and is not shared with the general public.
- Represents the County in all civil and criminal appeals.

In addition to the functions described above, this position may include other responsibilities and duties as assigned on occasion based upon the needs or requirements of Big Stone County.

**NOTE:** Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions of this position.

#### **PART V – KNOWLEDGE, SKILLS AND ABILITIES**

- Strong working knowledge of federal, state and municipal statutes, ordinance regulations, codes and case law.
- Strong working knowledge of public administration practices and inter-governmental process.
- Strong working knowledge of general management principles and modern office practices.
- Strong working knowledge of the organization and operation of related local, state and federal governments.
- Strong working knowledge of the fiscal requirements of local governments to include program budgeting and strategic planning.
- Considerable knowledge of personnel administration and organizational development.
- Ability to communicate effectively, verbally and in writing, and have strong public relations skills.

- Ability to select competent personnel and to train them to perform their duties in an effective and efficient manner.
- Ability to establish and maintain effective working relationships with others.
- Ability to motivate subordinates toward achieving their goals and assist in their career development.
- Ability to quickly and accurately identify operational problems and/or opportunities and develop effective solutions.
- Ability to operate general office equipment including proficiency in information systems to include current email, word processing, spreadsheet and related legal applications.
- Requires the ability to interact with people (i.e. staff, general public and elected officials) beyond giving and/or receiving instructions.

**PART VI – WORKING ENVIRONMENT**

**Materials and Equipment Used:** Must be able to drive to various locations and meeting sites; various office equipment, computers and related equipment.

**Travel Requirements:** Minimal travel required.

**Hazardous Exposure Category:** Place an “X” in the appropriate category for the role:

\_\_\_\_ Category 1: Involves an inherent potential for contact with blood, body fluids or tissues. Appropriate protective measures are required for every employee engaged in Category 1 tasks.

\_\_\_\_ Category 2: Involves no exposure to blood, body fluids or tissues in usual work but potential for exposure exists in work environment. Employees performing Category 2 tasks don’t need to wear protective equipment but they should be prepared to put on protective equipment on short notice.

X  Category 3: Involves no exposure to blood, body fluids or tissues although situations can be hypothesized under which anyone, anywhere, might encounter potential exposure to body fluids.

**PART V – PHYSICAL / MENTAL REQUIREMENTS**

**Lifting Requirements:** Place an “X” in the appropriate level for the job.

1. \_\_\_\_ **Sedentary Work:** Exerting up to 10 pounds of force occasionally and/or a negligible amount of force frequently to lift, carry, push, pull or otherwise move objects, including the human body. Sedentary work involves sitting most of the time, but may involve walking or standing for brief periods of time. Roles are sedentary if walking and standing are required only occasionally and all other sedentary criteria are met.
2.  X  **Light Work:** Exerting up to 20 pounds of force occasionally, and/or to 10 pounds of force frequently, and/or a negligible amount of force constantly to move objects. Physical demand requirements are in excess of those for sedentary work.
3. \_\_\_\_ **Medium Work:** Exerting 20 to 50 pounds of force occasionally, and/or 10 to 25 pounds of force frequently, and/or greater than negligible up to 10 pounds of force constantly to move objects. Physical demand requirements are in excess of those for light work.
4. \_\_\_\_ **Heavy Work:** Exerting 50 to 100 pounds of force occasionally, and/or 25 to 50 pounds of force constantly to move objects. Physical demand requirements are in excess of those for medium work.
5. \_\_\_\_ **Very Heavy Work:** Exerting in excess of 100 pounds of force occasionally, and/or in excess of 50 pounds of force frequently, and/or in excess of 20 pounds of force constantly to move objects. Physical demand requirements are in excess of those for heavy work.

**Frequency:** Place an “X” in each box that is appropriate to the job. Follow other instructions as written.

NEVER (N)	OCCASIONALLY (O)				FREQUENTLY (F)				CONSTANTLY (C)			
0% or Never on Shift	1-33% of Shift				34-66% of Shift				67 -100% of Shift			
Physical	N	O	F	C	Physical	N	O	F	C			
What is moved+ weight and distance					Grasping		X					
Computers/Printers & Binders		X			Twisting		X					
Describe movement: lift, push, pull		X			Repeat Motion			X				
Lower, carry, reach above		X			Driving Automotive Equipment		X					

Standing		X			Fingering/Handling			X	
Walking		X			Feeling		X		
Sitting			X		Visual Acuity: near			X	
Bending/Stooping		X			Visual Acuity: far			X	
Kneeling/Duration		X			Depth Perception		X		
Squatting		X			Color Discrimination			X	
Climbing/Height		X			Peripheral Vision		X		
Balancing		X			Talking			X	
Crawling/Distance	X				Hearing			X	
Reaching above shoulder		X			Running	X			
Reaching at or below shoulder		X			Other				
<b>Physical Surroundings</b>	<b>N</b>	<b>O</b>	<b>F</b>	<b>C</b>	<b>Environmental Conditions</b>	<b>N</b>	<b>O</b>	<b>F</b>	<b>C</b>
Cold (50 degrees F or less)		X			Chemicals		X		
Heat (90 degrees F or more)		X			Gases and Fumes		X		
Dampness		X			Dust		X		
Inside Work				X	Radiation	X			
Outside Work		X			Other:				
Unprotected Heights	X				Vibration		X		
Around Moving Machinery		X			Extreme Noise		X		

**Mental Requirements:** Place an “X” by all descriptions that apply to this job.

1. X Exposed to stressful situations. Explanation: Emergencies, demanding customers, visitors and constituents.
2. X Must be able to concentrate on work tasks amidst distraction. Explanation: Distractions from telephone, customers and co-workers.
3. X Must exert self-control. Explanation: Customers and co-workers may be difficult to deal with. There is an expectation of providing good customer service in difficult situations.

I have read the job description and its attachments and understand the responsibilities.

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Employee Signature

Date