

Civil Division: Oneida County Government  
Jurisdictional Class: Exempt  
EEO Category: Professional  
Adopted: 11/04/13

### **CHIEF APPELLATE COUNSEL (CRIMINAL DIVISION)**

**DISTINGUISHING FEATURES OF THE CLASS:** The incumbent in this position assists the Public Defender in the representation of indigent persons and may be assigned to the Appellate and Parole Section. An incumbent keeps abreast of all procedures and policies within the Public Defender's Office. This position organizes, examines, and coordinates materials and efforts related to appeals, revocation hearings and or parole appeals. The Chief Appellate Counsel shall not engage in any other practice of the law which, under rules established by the Public Defender, would interfere in any manner with the performance of his/her duties. This is an appointed position in which incumbents serve both under the general direction of the Public Defender or designee and at the pleasure of the Public Defender. Supervision over staff assigned to the Appellate case is a responsibility of this position. Incumbent performs related work as required.

#### **TYPICAL WORK ACTIVITIES:** (Illustrative Only)

Preparation of felony, misdemeanor, parole, and other criminal appeals assigned to the Public Defender;

Acts as the administrator of the Appellate & Parole Section of the Public Defender's office or any successor section or unit and as the administrator is responsible for the preparation of all required reports, requests for extensions, transcripts and other documents and materials, client communications, record keeping and such other matters required or requested by the Public Defender, the appellate courts, administrative or other official federal, state or local agencies or governing bodies relating to the appeals, parole revocation hearings and/or parole appeals;

Assigns appeals to Assistant Public Defenders and supervises the preparation thereof;

Directs, assigns, coordinates, and supervises the work of Assistant Public Defenders and support staff assigned to the Appellate & Parole Section;

Advises the Public Defender and his staff on legal and ethical issues pertaining to clients, cases, and other matters relating to the operation of the Public Defender's office and other matters within the Public Defender's jurisdiction;

Informs the Public Defender and his staff of recent legislation, changes in the laws and recent case law effecting the Public Defender's office;

Develops and conducts appropriate training programs for the staff assigned to the Appellate & Parole Section and otherwise advises and assists the Public Defender in developing and conducting appropriate training for the Public Defender's staff;

Assists the Public Defender in developing office policies and procedures;

Upon the request of the Public Defender acts as Liaison between the Public Defender and other governmental entities or agencies, the courts, the media and the community, and legal organizations;

Advises and assists the Public Defender in the preparation and maintenance of the office budget;

Performs such other duties, obligations, and activities as requested by the Public Defender;

Serves as the Acting Chief Trial Counsel in the absence, inability, or incapacity of the Chief Trial Counsel;

Serves as the Acting Public Defender in the absence, inability, or incapacity of the Public Defender and the Chief Trial Counsel.

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**FULL PERFORMANCE KNOWLEDGE, SKILLS, ABILITIES AND PERSONAL CHARACTERISTICS:** Comprehensive knowledge of the principles and practices of New York State criminal law; Comprehensive knowledge of state rules of evidence; thorough knowledge of criminal trials; working knowledge of report preparation, budget preparation and projections and expenditure control; ability to plan, assign, and review the work of others; ability to understand and carry out complex oral and written instructions; ability to analyze, appraise and apply complex legal principles, facts, and precedents to legal problems; ability to supervisor others.

**MINIMUM QUALIFICATIONS:** Admission to the Bar of New York State **AND** five (5) years of experience in the public or private practice of criminal law.

**NOTE:** Preference may be given to candidates with extensive felony trial experience, and/or extensive experience in the preparation of legal documents, briefs and appearances before felony-level courts.

**SPECIAL REQUIREMENTS:**

1. 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.
2. Admission to the Bar of the State of New York and maintaining good standing with the Appellate Division at the time of appointment.
3. All candidates for Chief Appellate Counsel shall provide a Certificate of Good Standing from the Appellate Division of admission upon filing of the biennial attorney registration required by the New York State Office of Court Administration and not later than sixty (60) days from the birthday following such registration.
4. Must comply with mandatory continuing legal education (CLE) requirements.
5. Must possess a valid New York State driver's license at the time of appointment and must maintain license throughout appointment.

**SPECIAL REQUIREMENTS:** Certain assignments made to employees in this class will require access to transportation to meet field work requirements in a timely and efficient manner.