

**PUBLIC DEFENDER**

**DISTINGUISHING FEATURES OF THE CLASS:** The Public Defender shall act as the head of the public defender services in Essex County; have primary responsibility for representing all eligible indigent persons charged with a felony in Essex County, and charged with a crime other than a felony arising out of incidents occurring in the Towns of Crown Point, Elizabethtown, Minerva, Moriah, Newcomb, North Hudson, Schroon, Ticonderoga and Westport. The Public Defender shall represent other such eligible indigent persons entitled to counsel as required by County Law §717, and the constitutions and laws of the United States and the State of New York. In addition, the Public Defender shall represent eligible indigent persons for whom the offices of County Public Defender 1 and /or Assistant Public Defender 2 have primary or secondary responsibility whenever the persons holding such offices are disqualified or unable to provide such primary representation. The work is performed under guidelines provided by Essex County Local Law # 9 of 2002. Does related work as required.

**TYPICAL WORK ACTIVITIES:**

Supervises and administers the Office of the Public Defender;  
Determines who is eligible for public defender services and reviews for conflict of interest;  
Notifies the Court immediately upon becoming aware that a person for whom representation is being provided pursuant to Essex County Local Law #9 of 2002 is financially able to obtain counsel or make partial payment for the services so that the Court may terminate the assignment of counsel or authorize payment, as the interest of the justice may dictate;  
Prepares and submits proposed budgets and amendments thereto for consideration by the County Manager and the Board of Supervisors;  
Authorizing the retention of professional or expert witness services in relevant fields to assist in the representation of eligible indigent persons by the Public Defender, any Assistant Public Defender, or counsel assigned by a court pursuant to §6 of Essex County Local Law #9 or 2002;  
Represent and counsel the eligible indigent person at each stage of the proceedings, and in criminal proceedings at each stage following arrest, including negotiations, trial preparation and courtroom proceedings;  
Shall initiate proceedings which may be necessary to protect the rights of such eligible indigent person;  
May prosecute any appeal when in her/his judgment the facts and circumstances warrant such appeal.  
Supervises assigned clerical staff;  
Maintains records and prepares reports to the Board of Supervisors, of the activities of the Public Defender and the Assistant Public Defenders pursuant to County Law §720

**FULL PERFORMANCE KNOWLEDGE, SKILLS, ABILITIES AND PERSONAL CHARACTERISTICS:**

Comprehensive knowledge of the general structure of New York State Criminal Procedures Law;  
Comprehensive knowledge of the criminal court procedures and of the rules of evidence;  
Comprehensive 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 in 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 morale;

**PUBLIC DEFENDER--contd. 2**

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 judgement;

Physical condition commensurate with the demands of the position.

**MINIMUM QUALIFICATIONS:**

Shall be any attorney duly licensed to practice law in the State of New York, and have such other educational training or professional experience as shall be deemed acceptable by the Board of Supervisors.

**Special Requirement:**

Incumbents in this position are required to be residents of Essex County at the time of appointment.

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