



Board of County Commissioners Agenda Request

2L
Agenda Item #

Requested Meeting Date: December 23, 2024

Title of Item: Personnel Committee Recommendation - Promotion to AC Attorney III

<input type="checkbox"/> REGULAR AGENDA <input checked="" type="checkbox"/> CONSENT AGENDA	Action Requested: <input checked="" type="checkbox"/> Approve/Deny Motion <input type="checkbox"/> Adopt Resolution (attach draft) <input type="checkbox"/> Hold Public Hearing <i>*provide copy of hearing notice that was published</i>	<input type="checkbox"/> Direction Requested <input type="checkbox"/> Discussion Item <input type="checkbox"/> Information Only
Submitted by: Bobbie Danielson		Department: HR Dept.
Presenter (Name and Title): Bobbie Danielson, HR Director		Estimated Time Needed: N/A Consent Agenda
Summary of Issue: The personnel committee unanimously recommends promotion of Sarah Winge from Assistant County Attorney II to Assistant County Attorney III, effective January 2, 2025. The job description is attached, including minimum qualifications, which she meets. Per the personnel policy, she will be eligible for \$1.00 per hour or 5% within range movement upon promotion, whichever is greater. This is included in the 2025 budget.		
Alternatives, Options, Effects on Others/Comments: 		
Recommended Action/Motion: Motion to approve the promotion of Sarah Winge to Assistant County Attorney III, effective January 2, 2025.		
Financial Impact: <i>Is there a cost associated with this request?</i> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <i>What is the total cost, with tax and shipping? \$</i> A 5% salary increase will apply. <i>Is this budgeted?</i> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <i>Please Explain:</i>		

Legally binding agreements must have County Attorney approval prior to submission.



ASSISTANT COUNTY ATTORNEY III

Department Attorney's Office
DBM/Grade Grade 16
Reports to County Attorney and Senior Assistant County Attorney
FLSA Status Exempt
Union Status Non-union

Final Appointing Authority

This position shall not be filled until final approval of the County Administrator. All offers of employment are made in writing by the Human Resources Department.

Job Summary

To assist the County Attorney in the evaluation, preparation and presentation of cases brought before the District Court for civil or criminal prosecution, and to provide legal advice and assistance to various County officials and agencies.

Supervision Received

Employees working in this job class work under general supervision and usually receive some instruction with respect to details of most assignments, but are free to develop their own work sequences within established procedures, methods, and policies. They are often physically removed from their supervisor and are only subject to periodic supervisory checks.

Supervision Exercised

Directly supervises assigned support staff.

Carries out supervisory responsibilities in accordance with the organization's policies and applicable laws. Responsibilities include planning, assigning, and directing work; appraising performance; addressing complaints; training and rewarding employees. Responsibilities also include, in collaboration with the Human Resources Department, interviewing, hiring, implementing performance improvement plans, disciplining employees, and resolving grievances.

Essential Functions

This position description is not intended to be all-inclusive. Employee may perform other essential and nonessential functions as assigned or apparent to meet the ongoing needs of the department and organization. Regular attendance is an essential requirement of this position.

1. Evaluates and exercises discretion in criminal investigations, child protection matters, civil commitment screenings, forfeitures, child support, and other matters, identifies appropriate charging or other decisions, recommends appropriate disposition of those matters in accordance with established policies and standards; refers investigations to appropriate agencies as may be required; refers, notifies, consults, advocates, and informs crime victims in accordance with the Victim's Rights Act.



Position Description

2. Prepares cases for judicial and administrative proceedings or appeals by, including but not limited to, reviewing evidence presented by county agencies, investigating facts, researching law, drafting and editing correspondence, pleadings and other documents, analyzing the opposing position(s), document and record case proceedings for future reference, and writing legal memoranda and briefs
3. Represents the County in assigned criminal or civil cases in court or at other hearings by presenting facts, analyzing and introducing evidence, interpreting information and law as it is conveyed during the proceedings, and revising and adapt the County's legal arguments as necessary. Recommends the disposition of cases to judges, referees, arbitrators and administrative law judges.
4. Confers with other staff attorneys and plans trial strategy, analyzes and presents evidence, engages in negotiation of case settlements or other matters of law, and monitors, modifies, and verifies the work of clerical staff in the preparation of legal documents. Supervises the issuance of subpoenas for trial preparation, manages and coordinates the trial process, maintains communication with trial witnesses and victims through pretrial witness interviews, correspondence, and phone calls to convey case status updates and schedule court appearances.
5. Coordinates the flow of information between defense attorneys, law enforcement, social services, and other agencies.
6. Analyzes legislation, case law, legal publications and other relevant literature in order to maintain accurate, current information on legal developments in all areas of law.
7. Counsels, represents and advises law enforcement officers; county officials, departments or agencies; attorneys; corrections workers; and other relevant parties in areas of investigation, trial techniques, criminal and civil law, strategy, and legal issues pertinent to the area of assignment; includes on-call availability after hours or on weekends as assigned to authorize continued detention of suspects, creation of search warrants, and other legal matters as presented.
8. Trains law enforcement officers, other agencies, and public organizations regarding legal issues.
9. Researches and identifies appellate issues on assigned cases by analyzing the facts and proceedings, reviewing court transcripts, and performing legal research, and drafting legal briefs and presenting oral arguments to the appellate court.
10. Composes correspondence and distributes relevant information to law enforcement, defense attorneys, the Court, guardian ad litem, county agencies, victims and other individuals and organizations relating to the status of the case.
11. Adheres to collective bargaining agreements, county policies and procedures, and applicable laws, including timely/accurate reporting and consistent/uniform administration of EEO, FLSA, FMLA, ADA, Workers' Compensation and Return to Work programs, in close collaboration with the Human Resources Department. Completes departmental new hire orientations promptly and staff performance appraisals in accordance with county policy.
12. Attend conferences and continuing education courses as needed.
13. Performs other related duties as assigned or apparent.

Minimum Qualifications

Requires a Juris Doctorate (J.D.) degree and Minnesota Attorney License issued by the Minnesota Supreme Court, plus fifteen (15) years work experience as an Assistant County Attorney I with successful performance reviews OR fifteen (15) years work experience as an attorney working as full-



time prosecution, public defender or other full-time employment as an attorney at a governmental entity in civil or public law.

Valid Minnesota driver's license required. Employment reference checks and a criminal background check will be performed as part of the pre-employment process.

All attorneys in the County Attorney's Office rotate weekend and holiday on-call duties. Such on-call duties include twenty-four (24) hour availability to law enforcement officers for authorization for continued detention of suspects, assistance in the creation of search warrants, and advice or consultation as needed. There is currently no additional compensation, remuneration, or consideration for said additional on-call duties.

Knowledge, Skills, and Abilities Required

Knowledge of:

1. Duties, powers, limitations, and authority of the office of the County Attorney.
2. Criminal and civil law, rules of procedure, rules of evidence, and their application.
3. Principle methods, materials and practices of legal research, investigation, and writing.
4. Appraisal, interpretation, and application of legal principles and precedents to difficult legal problems.
5. Preparation and presentation necessary to try complex civil or criminal cases and solve complex legal issues.
6. County and departmental policies, procedures, and practices.

Skill in:

1. Effective communication, which will allow for presentation of statements of fact, law and argument clearly, logically, and forcefully, both in written and oral form.
2. Effective legal research, analysis, and application of the law.
3. Communicating with and relating calmly, logically and sensitively to crime victims, law enforcement, other attorneys, court personnel, and county departments.
4. Typing skill sufficient to complete 30 net words per minute without errors.
5. Reading, writing, and speaking English proficiently.

Ability to:

1. Work both independently and cooperatively.
2. Communicate effectively, both orally and in writing, in a variety of forums.
3. Analyze, appraise and organize facts, evidence, case law, statutes and rules and to effectively present legal opinions to other county officials, attorneys, judges and juries.
4. Present and argue cases in court, including the ability to deal with unanticipated situations when they arise.
5. Negotiate with adverse parties to settle cases in a manner which promotes the interests of justice.
6. Work effectively with others and manage time and workload effectively.
7. Travel and work in excess of standard hours when necessary.



6. Present a positive attitude in the workplace, promote a spirit of teamwork and cooperation, and be able to treat co-workers, supervisors, and subordinates with respect, honesty, and consideration.
7. Maintain confidentiality.

Language Skills

Highest Skills – Ability to read, analyze, and interpret the most complex documents. Ability to respond effectively to the most sensitive inquiries or complaints. Ability to write speeches and articles using original or innovative techniques or style. Ability to make effective and persuasive speeches and presentations on controversial or complex topics to top management, public groups, and/or governing boards.

Mathematical Skills

High Skills – Ability to work with mathematical concepts such as probability and statistical inference, and fundamentals of plane and solid geometry and trigonometry. Ability to apply concepts such as fractions, percentages, ratios, and proportions to practical situations.

Reasoning Skills

Very High Skills - Ability to define problems, collect data, establish facts, and draw valid conclusions. Ability to interpret an extensive variety of technical instructions in mathematical or diagram form and deal with several abstract and concrete variables.

Computer Skills

To perform this job successfully, an individual should be proficient at using the following software:

County Payroll Software/E-time, Microsoft Word, Outlook, PowerPoint, Jail and/or Dispatch Software, Minnesota County Attorney Practice System (MCAPS), Minnesota Court Information System (MNCIS), Westlaw, Windows media system, and Internet.

Ability to Travel

Periodic travel required for court hearings, trainings, and meetings in and out of Aitkin County.

Competencies

To perform the job successfully, an individual should consistently demonstrate the following competencies (definitions attached or available upon request):

Ethics, attendance/punctuality, safety and security, dependability, analytical, design, problem solving, project management, technical skills, customer service, interpersonal skills, oral communication, written communication, teamwork, change management, delegation, leadership, quality management, cost consciousness, diversity, organizational support, judgment, motivation, planning/organizing, professionalism, quality, quantity, adaptability, initiative, and innovation.



Position Description

Work Environment

The noise level in the work environment is usually moderate. Employees working in this position are exposed to evidence of trauma, violence, and disturbing crimes.

Equipment and Tools

Computer, copier, fax, telephone, printer, scanner, emergency weather-alert system, county-owned vehicles, personal vehicle (requires proof of insurance on file), and other job-related equipment.

Physical Activities/Requirements

Climbing, balancing, stooping, kneeling, crouching, reaching, standing, walking, pushing, pulling, lifting, carrying, use of fingers, grasping, talking, hearing, seeing, and repetitive motions. Must have the ability to lift and/or carry up to 50 pounds.

While performing the duties of this job, the employee performs light work, exerting up to 50 pounds of force occasionally, and/or up to 10 pounds of force frequently, and/or a negligible amount of force constantly to move objects. If the use of arm and/or leg controls requires exertion of forces greater than that for Sedentary Work and the worker sits most of the time, the job is rated for Light Work.

Working safely is a condition of employment. Aitkin County is a drug-free and alcohol-free workplace.

Disclaimer

The above statements are intended to describe the general nature and level of the work being performed by employees assigned to this job classification. This is not an exhaustive list of all duties and responsibilities. Aitkin County reserves the right to amend and change responsibilities to meet organizational needs as necessary. This job description does not constitute an employment agreement between the employer and employee.

Reasonable Accommodation Notice

The County is an Equal Opportunity Employer. In compliance with the Americans with Disabilities Act, the County will provide reasonable accommodations to qualified individuals with disabilities and encourages both prospective and current employees to discuss potential accommodations with the employer.

01/4/2023 – update and board approved 5/14/2024

Our Vision: *We strive to be a county of safe, vibrant communities that place value on good stewardship of local resources.*

Our Mission: *Aitkin County's mission is to provide outstanding service in a fiscally responsible manner through innovation and collaboration with respect for all.*

Our Core Values: *Collaboration, Innovation, Integrity, People-Focused, Professionalism*