



Position: Legal Assistant/Crime Victims Advocate
Department: County Attorney
Job Classification: 14
Salary: Pay range starts at \$14.91 per hour
Closing Date: Monday, June 18, 2018 at 3:00 p.m.

Application Process: Please contact Sanders County Job Services at 406-827-3472.

Summary of Work: General Duties

Work Unit Overview: Full time Position – 40 Hours per Week. All county departments must maintain an open and customer service oriented environment, cooperate with other County departments and governmental entities, and keep accurate and timely records and information.

Job Summary: Under the direction of the Sanders County Prosecutor, assists Deputy County Attorney prepare for court cases including, but not limited to, case preparation, hearings, trials, and meetings. This position organizes documents to help attorneys prepare for trials. It maintains and track case files and make them easily accessible to attorneys while adhering to a strict deadlines; oversight of the administration of the standard operation policies and procedures of the Sanders County legal department.

This position also provides advocacy and variety of supportive services for the primary and secondary victims of crimes of intimate violence, sexual offenses and in civil matters, such as Orders of Protection. These crimes include; Partner or Family Member Assault, Dating Violence, Stalking, and Sexual Assault. The individuals seeking assistance from this Crime Victim Advocate can be any gender and may include children. However, this position is not responsible to provide advocacy in child abuse cases.

This position performs a variety of routine and complex administrative work in keeping official records and assisting in the administration of the standard operation policies and procedures of the department.

Essential Functions (Major Duties or Responsibilities): *These duties are the essential functions and are not all-inclusive of all duties that the incumbent performs.*

- Crime Victim Advocate responsibilities include -
 - The Advocate shall provide Notice of Rights forms to victims of violent crimes if the responsible law enforcement agency fails to do so.
 - Shall consult with the victim of a felony offense or a misdemeanor offense involving actual, threatened, or potential bodily injury to the victim or, in the case of a minor child victim or homicide victim, with the family of the victim in order to obtain the views of the victim or the victim's family regarding the disposition of the case, including:
 - dismissal of the case;
 - release of the accused pending judicial proceedings;
 - plea negotiations;
 - Pre-trial diversion of the case from the judicial process.
 - The Advocate shall direct victims in crisis to counseling through phone or in-person crisis intervention professionals.

- Advise the victims of the offenses described in the preceding paragraph of the following:
 - The arrest of the accused;
 - The release of the accused pending judicial proceedings;
 - The crime with which the accused has been charged, including an explanation of the elements of the offense when necessary to an understanding of the nature of the crime;
 - Proceedings in the prosecution of the accused, including entry of a plea of guilty or nolo contendere and the setting of a trial date;
 - If the accused is convicted or pleads guilty or nolo contendere:
 - The function of a presentence report;
 - The name, office address, and telephone number of the person preparing the report;
 - The convicted person's right of access to the report, as well as the victim's right under 46-18-115 to present a statement in writing or orally at the sentencing proceeding and the convicted person's right to be present at the sentencing proceeding and to have access to the victim's statement;
 - The date, time, and place of any sentencing hearing, the sentence imposed, and the term of imprisonment, if imposed;
 - The right under 46-24-212 of a victim of a felony offense to receive information from the department of corrections concerning the convicted person's incarceration; and
 - The right under 46-23-215, 46-23-509, or 46-23-1011 of a victim of a sexual offense, as defined in 46-23-502, to request a sentencing order, condition of parole, or condition of probation to require the convicted person to refrain from direct or indirect contact with the victim.
 - Notify a victim or witness of any scheduling changes that may affect the appearance of the victim or witness at a criminal justice proceeding that the victim or witness is scheduled to attend.
 - For the purpose of providing notification, the Advocate attorney shall have available a system for promptly alerting a victim or witness that a scheduling change has been made.
 - Assist a victim or witness who requests assistance in informing an employer that the need for victim and witness cooperation in the prosecution of the case may necessitate absence of the victim or witness from the place of employment.
 - Assist a victim or witness who, as a direct result of a crime or because of cooperation with the law enforcement agency or prosecuting attorney, is subjected to serious financial strain. The Advocate shall assist the victim or witness by explaining to creditors the reason for the serious financial strain.
 - Advise an employer, if necessary, that the employer may not discharge or discipline a victim or a member of the victim's family for participation at the prosecuting attorney's request in preparation for or attendance at a criminal justice proceeding.
 - Advise victims of violent crime of the availability of orders protection and the assistance that may be provided to them by the Sanders County Coalition for Families which can be contacted at 406-827-3218 or visited at 303 E. Main, Thompson Falls, Montana.
 - Assist victims with completing Restitution Affidavits and provide information, assistance, and applications for the Crime Victims Compensation Program
- Legal Assistant Responsibilities include -
 - Performs *a variety of complex administrative work in preparing timely official court documents for court proceedings which includes:*
 - Daily assists attorneys with the preparation of felony legal documents including, but not limited to the following: Motion and Affidavit for Leave to File an Information, Information, Orders, Summons, Warrants, Bail Transmittals, Discovery Responses, Praecipe, Motion and Orders for Discovery, Witness and Exhibit Lists, Subpoena's, Acknowledgment of Services, Return of Services, Motion and Orders for vision net, Motion and Orders to continue court dates, Motion and Orders to dismiss cases, Motion and Orders to transport, Plea Agreements, Jury Instructions, Status Reports, and Judgments, etc. for felony cases. File all other documents prepared by Attorney's and distribute to appropriate counsel.
 - Coordinates, gathers and compiles information from various law enforcements agencies, for court document preparation which includes the following agencies: Sheriff's Office, Montana Highway Patrol, Fish, Wildlife & Parks, Department of Family Services, Youth Court Services, and other agencies.

- Prepare Juvenile documents including, but not limited to the following: Motion to File a Petition, Petitions, Orders, Summons, Praecipes, Motion and Orders for vision net, Motion and Orders to continue court dates, Motion and Orders to dismiss cases, Motion and Order to transport, and Judgments.
- Prepare Dependent Neglect documents for the Deputy County Attorney, send Defense Attorney's appropriate information, and coordinate with CASA and DPHHS.
 - Those documents include but not limited to: Petition for Temporary Investigative Authority, Order Granting Temporary Investigative Authority, Order to Show cause, Petition for Adjudication of Child as Youth in Need of Care and Temporary Legal Custody, Order Granting Adjudication of Child as Youth in Need of Care and Temporary Legal Custody, Order Appointing CASA representative, Motion for Summons by Publication for each parent, Order Granting Summons by Publication, Summons by Publication for each parent, Findings of Fact, Conclusions of Law and Order Continuing Emergency Protective Services and Granting Temporary Investigative Authority, Order Continuing Emergency Protective Services, Adjudicating Child as Youth in Need of Care and Setting Disposition Hearing, Order Prepare ICWA documentation if the child is Indian, Petition to Extend Temporary Legal Custody, Order Setting Hearing on Extension of Temporary Legal Custody, Order Extending Temporary Legal Custody, Motion For Approval of Permanency Plan and Notice of Hearing, Order Setting Permanency Plan Hearing, Order Approving Permanency Plan, Findings of Fact, Conclusions of Law And Order, Terminating Parental Rights, Order Setting Termination Hearing, Petition For Guardianship and Request for Hearing, Findings of Fact, Conclusions of Law and Decree of Guardianship, Letters of Guardianship, Petition for Long Term Custody and Request for Hearing, Findings of Fact, Conclusions of Law and Order Granting Long Term Custody. Make sure DPHHS is following MCA codes and timelines. Keep a strict calendar so deadlines aren't missed.
- Prepare documents for Mental Commit cases. Coordinate with the Judge, Attorney's, Mental Health, Law Enforcement agencies, and the facility where the individual is in the care of. Keep strict coordination for court times and dates since these cases are on an emergency basis.
- Prepare Petitions, Orders, and Warrants for Probation Revocation's.
- Prepare documents for Conservatorship or Guardianship cases.
- Required to be proficient in specific office technology including Microsoft Office (Word, Excel, Access), printers, VisionNet, Polycom, setting up webinars and phone conferencing (including GoToMeeting).
- Log and track all forms of correspondence which includes tracking discovery requests and providing discovery to defense counsel with proof of service. Copying discovery DVD/CDs, color photos, criminal history, witness statements, alcohol reports, crime lab results, case reports, arrest reports, evidence cards.
- Oversees the organization and maintenance of materials in the office's electronic database, document preparation, timelines, discovery material distribution, court calendaring, prepares subpoenas, summons, complaints and warrants for justice court citations and prepare documents when needed.
- Prepare subpoenas and Praecipes for the Sheriff's Office to serve. File with the appropriate Court when return of service is complete.
- Maintain office, district court and Judge's calendar list.
- Monitor case progress and status.
- Prepares drafts of pleadings and correspondence.
- Knowledge and understanding of Montana Code Annotated.
- Assists in preparing for trial, prepares trial notebook, jury instructions and jury analysis.
- Oversees the organization and maintenance of materials in the office's electronic database.
- Prepare 24/7 Alcohol Reporting forms and file them with Justice Court or District Court.
- Gather or request from appropriate agencies the case reports, arrest reports, photos, videos, 911 calls, crash reports, criminal history, victim statements, etc., and send it to Attorney's within thirty days of their request.
- Assists the County Attorney with any civil letters that need prepared and make files for the new cases.
- Prepares and processes extradition into and out of the State of Montana. Call the county from which the defendant is a fugitive from and request all paper work. Prepare the Complaint, Warrant and Order, Transmit of Bail, and Waiver of Extradition for District Court. Contact the Sheriff's Office and request if the Defendant is going to waive extradition or not. If not, prepare Governors Warrants for the County Attorney.
- Oversees NSF check collections.

- Draft complaint and summons for bad checks that are turned over to the County Attorney. If there are three or more bad checks draft felony charges in District Court.
- Prepare and distribute bad check and library collection letters.
- Prepare *for signature* annual audit letters *to the* County and School Districts.
- Coordinate with Judge, District Court, Attorney's, and Defendant for vision net appearances. Contact the Court Houses in the appropriate counties to see what technology they use and coordinate with District Court.
- Prepare employee/ vendors claims for the office.
- Every-day check SWIFT and to see if there is a new Defendant in jail and start preparing the necessary paperwork for the Judge to see them within 24 hours.
- File legal documents with appropriate courts.
- Screens calls and visitors.
- Serves as backup for other positions in the department.
- Maintains follow-up/reminder systems to insure timely completion of projects.
- Prepares necessary documents to order equipment and supplies.
- Serve as a Notary Public or witness on various documents related to county business as necessary.
- Train, oversees and assign work to the Legal Secretary.
- Performs clerical and administrative work in answering phones, receiving the public, providing customer/client assistance, data and word processing.
- Greets the public in a friendly manner in person and on the phone. Maintains professionalism by exercising tact, diplomacy and courtesy at all times. Acts as liaison between the public and the County Attorney.
- Deals with sensitive information and must adhere to strict standards of confidentiality.
- Maintains appropriate inventory of office supplies for the County Attorney's Office; orders all office supplies as needed.

Education and Experience:

Requires education and experience equivalent to graduation from high school and two to three (2 to 3) years job-related work experience; at least one year of previous experience working in a law office performing legal assistant duties, and responsibilities under the supervision of a licensed attorney, preferred. Other combinations of education and experience, as required at 25-10-305, MCA, will be considered.

Knowledge, Skills, and Abilities:

- High levels of interpersonal skills are necessary, including the ability to defuse tense customer relations. Knowledge of general legal terminology and legal principles; of criminal justice system and courts.
- Writing skills, including ability to prepare legal documents, and other correspondence. Ability to deal tactfully and effectively deal with city/county/state officials, employees, court officials and general public.
- Ability to perform computerized legal research and organize and prioritize workload.