

JOB TITLE: DISTRICT COURT STAFF ATTORNEY/LAW CLERK
DEPARTMENT: District Court
SUPERVISOR: District Court Judge
SUPERVISION EXERCISED: The Dist. Court Staff Attorney/Law Clerk will provide supervision for any summer intern/law clerk that is hired for a limited time period by the District Court Judge and shall direct appropriate action to be taken by deputy clerks who work on District Court files
SALARY RANGE:
EXEMPT STATUS: Exempt
LAST REVISION: 1/2021

Job Scope

Summary: The District Court Staff Attorney/Law Clerk performs highly responsible law clerk work for the District Judge, Magistrate Judges, and other court personnel relating to the administration of the district court, under the supervision and direction of the District Judge. In the role of an attorney, the staff attorney /Law Clerk advises the judge on administrative and ethical issues.

Other Information: The Staff Attorney/Law Clerk assists the Court through review of court files, pleadings, and briefs and through legal research to resolve legal issues in all civil and criminal matters. Work is generally regular and recurring. Judgment is required to apply practices and decision making within established, well-known procedures. Work is performed independently and with consultation with the judge. Research, document drafting, and other related duties are performed independently and with consultation with the judge. The Staff Attorney/Law Clerk works at a high level of responsibility as he/she works with court issues that will have a significant impact on the effectiveness of the judge and the operations of the District Court. Intermittent supervision is received. Work is performed in an office environment with high intermittent stress due to deadlines. The Staff Attorney/Law Clerk sometimes must perform work on an emergency basis. Workload may require evening, early morning, and/or weekend hours in addition to a 40-hour workweek. Job does not typically involve travel.

Attorney Classifications:

Level 1: Law clerks/Staff Attorneys and entry level legal professionals, such as interns prior to passing the Idaho Bar. Employees at this level generally work under *immediate* supervision.

Level 2: Attorneys handling primarily misdemeanor or juvenile matters, indigent adult clients, child protection, and competency matters. Must have at least 1-2 years of experience in a similar position. Employees at this level generally work under *general* supervision.

Level 3: Attorneys handling low to mid-level complexity felony cases and/or civil matters and serve as a back up to Level 4 Attorneys. Must have at least 3-4 years of experience in a similar position. Employees at this level generally work under *general to limited* supervision.

Level 4: Attorneys handling high-level complexity felony cases and/or civil matters. Must have at least 4-5 years of experience in a similar position, especially trial and litigation experience. Employees at this level generally work under *limited* supervision. Level 4 Attorneys may provide basic day to day supervision to 1-3 Attorneys.

Level 5: Chief Deputy appointed by the Public Defender. Handles highly complex civil or criminal legal matters. Must have at least 5 years of experience in a similar or related position. Under *limited* supervision, the Chief Deputy supervises Attorneys at all levels and other department staff.

Essential Functions

The essential functions include, but are not limited to, the following duties and responsibilities which are not listed in any particular order of priority and may be amended or added to by the County at any time:

1. Reviews civil, criminal and appellate court files in preparation for upcoming hearings, and summarize the facts and legal issues for use by the judge and other court personnel.
2. Identifies legal issues, conducts legal research, and presents the information to the judge in memoranda regarding cases, court decisions, and other legal matters.
3. Reviews criminal files prior to arraignments and prepares documents that describe the charges and penalties for review by the judge, prosecutor, and others.
4. Drafts orders, legal opinions, and correspondence related to the proceedings of the court on her/his own initiative as well as upon the instructions of the judge.
5. Confers with the district court judge concerning pending litigation and legal issues. Performs assigned legal work as directed for the judge for use in research, decisions, court and other legal proceedings.
6. Maintains a current list of matter taken under advisement by the District Court Judge and works on those matters to help bring them to a conclusion in a timely manner as prescribed by the applicable rules .
7. Maintains a current list of cases on appeal from the magistrate court and works on those matters to help bring them to a conclusion within the time limits imposed by the appellate rules.
8. Maintains a current list of cases on appeal from local and state agency administrative decisions and works on those matters to help bring them to a conclusion within the time limits imposed by the appellate court rules.
9. Maintains a current list of post-conviction petitions and works on those cases to help bring them to a conclusion within the time limits imposed by statute.
10. Reviews each order submitted in civil, criminal and appellate court files prior to the order being submitted for the Judge's signature. Identifies legal issues, conducts legal research, and presents any potential problems to the Judge for review.
11. Assist in preparing, drafting, editing, and proof-reading jury instructions given to the jury concerning how to decide the case and what the law is that must be applied in criminal and civil jury trials.
12. Conducts computer legal research on WESTLAW and other available electronic legal research programs and systems
13. Conducts book research, identifies materials that are unavailable through electronic databases, and contacts the legislative law library to request any additional materials needed in order to draft decisions.
14. Reviews recent Idaho Supreme Court and Idaho Court of Appeals decisions and provides updates to the Judge regarding changes in the law.
15. Provides advice to the District Judge on legal issues relating to the application of the Idaho Rules of Civil Procedure, the Idaho Criminal Rules, the Idaho Appellate Rules, the Idaho Rules of Evidence, the Idaho Code, county code and city ordinances, the Judicial Cannons, the Rules of Professional Ethics, and Idaho Case Law.
16. Manages the County Law Library by ensuring proper inventory and administration.
17. Contacts attorneys or courts regarding litigation or other court proceedings, including the Idaho Supreme Court. Receives incoming calls pertaining to litigation, court proceedings, and other legal matters.
18. Confers with Judge's Secretary and Court Clerks in order to assist them.

19. Maintains file systems of court decisions and compilations of legal research.

Secondary Functions

1. Interacts with Secretary, Clerks, or Bailiffs to ensure that the Judge's directions are carried out.
2. Retrieves case files for upcoming hearings.
3. Prepares materials and acts as presenter for seminars for Continuing Legal Education or assists in other projects, such as Settlement Week, settlement conferences, and hearings before pro tem judges.
4. Performs all other duties as assigned.

Job Specifications

1. Sufficient combination of knowledge, skills and abilities so as to competently perform the essential functions of the job.
2. Graduate from an accredited four-year college or university.
3. Graduate from an accredited law school. Juris doctorate degree required with high academic standing.
4. Admission to practice law in the State of Idaho preferred but not required.
5. This position requires significant legal research and writing experience. Law Review experience preferred. Legal intern or prior law clerk experience preferred. High academic marks in legal research and writing course preferred. .
6. Knowledge of local, state and federal law.
7. Knowledge of methodologies related to and ability to perform legal research. Ability to conduct such research via standard methodologies through books, journals, via the Internet, etc.
8. Ability to reason and think logically and clearly, especially as it pertains to developing written and verbal recommendations regarding legal issues.
9. Must possess an excellent command of the English language and grammar skills; ability to write clearly and concisely.
10. Ability to maintain the highest level of confidentiality as it pertains to matters heard within the District Court.
11. Ability to utilize a personal computer and related software to perform research, prepare opinions and reports.
12. Knowledge in the use of basic, general office equipment (e.g., copier, fax, computer, telephone)..
13. Must possess good organizational, telephone, and communication skills as the Staff Attorney/Law Clerk must utilize tact and diplomacy in his/her interactions with the public.
14. Knowledge of standard law library practices and maintenance, and ability to maintain law library.
15. Ability to communicate effectively, both orally and in writing.
16. Ability to develop and maintain harmonious working relationships with others, both inside and outside the organization.
17. Ability to work independently with minimal supervision.

18. Ability to use good judgment as legal advisor.

Working Conditions

Ability to perform those physical activities necessary to complete the essential functions of the job, either with or without reasonable accommodation. Requires continual communication (hearing and talking, both in person and over the telephone); frequent fingering, grasping, walking, and repetitive motions. Requires good general vision.