

SUPERIOR COURT OF CALIFORNIA SAN BENITO COUNTY

An Equal Opportunity Employer



EMPLOYMENT OPPORTUNITY

COURT COMMISSIONER / DIRECTOR OF LEGAL SERVICES

Bargaining Unit: Unrepresented

COMPENSATION: Up to \$191,318.40/ annually

To be considered for this exceptional career opportunity, please submit your resume, cover letter and answers to the Supplemental Questions by Friday, April 29, 2022, at 5:00 p.m. to admin@sanbenito.courts.ca.gov. Resumes should reflect years and months of employment with beginning/ending dates.

DEFINITION:

Under the administrative direction of the Court Executive Officer and judicial oversight of the Presiding Judge over court matters, this single-incumbent class functions as both Court Commissioner and Director of Legal Service. The classification serves as the highest-level executive overall legal functions and services for the Superior Court of California, County of San Benito.

As Court Commissioner performs various judicial functions as prescribed by law or conferred by the Superior Court while performing other duties as required. As directed by the Presiding Judge, the Court Commissioner may also serve as a temporary judge, handling a variety of other court matters which may include: Unlawful Detainer trials; Family Law Settlement Conferences; Case Management Conferences; misdemeanor DUI's, infractions and/or others. The Court Commissioner has the same jurisdiction and exercises the same powers and duties as judicial officers with respect to family law, juvenile, probate, criminal, traffic, small claims actions and all other matters before the Court by stipulation of the parties.

As Director, Legal Services provides direction and oversight with regard to all legal issues affecting the Court, providing guidance and support to judicial officers and management; serves as counsel to the Presiding Judge and the Court; communicating and implementing tactical legal strategies that conform to the Court's strategic goals and objectives and performs related duties as required. The Court reserves the right to assign or reassign duties as required to achieve business and operational objectives.

DISTINGUISHING CHARACTERISTICS:

This single executive management classification of Court Commissioner / Director of Legal Services is an at-will position appointed by the Court Executive Officer and/or the Court Executive Committee. The classification when functioning as Court Commissioner is to perform subordinate judicial functions for the Court. The Court Commissioner is an exempt position under management policies and procedures and is prohibited from practicing law outside of the Court.

Additionally, the class is responsible for legal services provided throughout the Court, both adjudicative and administrative. The incumbent operates within the broad framework of policy and exercises substantial latitude and discretion to ensure effective representation of the Court's interests in legal, legislative, security and regulatory arenas and its protection from legal risk.

REPORTS TO:

The Court Executive Officer or designee.

CLASSIFICATIONS SUPERVISED:

May supervise professional, technical, and support staff.

TYPICAL PHYSICAL REQUIREMENTS:

Sit for extended periods; frequently stand and walk; normal manual dexterity and eye-hand coordination; lift and move objects weighing up to 25 lbs.; corrected hearing and vision to normal range; verbal communication; use of office equipment including computers, telephones, calculators, copiers, and FAX.

TYPICAL WORKING CONDITIONS:

Work is performed in an office and courtroom environment; continuous contact with other agencies and staff; and often multiple deadlines under potentially stressful conditions. Fluctuating workloads will occasionally require the incumbent to maintain flexible hours and travel to meetings inside and outside of the Superior Court's home community. May be required to travel for training, meetings, and off-site assignments

EXAMPLES OF DUTIES:

(The following is used as a partial description and is not restrictive as to duties required.)

Depending on assignment, duties may include, but are not limited to, the following:

Presides over proceedings in Title IV-D support cases, and cases filed by the local child support agency to establish paternity and other child support-related matters, as required by Family Code §4251.

May serve as legal adviser to the court judicial officers, management staff or committees on specific matters before the Court.

Acts as a judge pro-tem in matters related to Family Code §4251, or as a commissioner making findings and recommendations subject to review by a judge of the Court.

Hears and determines request for orders, takes evidence, hears and report findings and conclusions to the Court.

Responds to judges' inquiries on procedural and substantive issues during trials and hearings; attends and assists at trials and hearings; conducts reviews of documents at the request of judges and court executive officer.

Approves/rejects requests for custody, child and spousal support, and attorney's fees.

Administers oaths and affirmations, and takes affidavits and depositions.

Hears, reports on, and determines uncontested actions; and hears such other matters as specified by law.

Reviews court files, documents, and related materials to assess and recommend disposition on cases prior to and following hearings; prepares court documents, records, reports, correspondence, and other written materials pertaining to case findings.

Maintains timekeeping records as required.

TYPICAL QUALIFICATIONS – TRAINING & EXPERIENCE:

Any combination of training and experience which would likely provide the required knowledge and abilities is qualifying. A typical way to obtain the required knowledge and abilities would be:

EDUCATION: Graduation from an accredited law school.

And
Experience in family, probate, juvenile, civil and criminal law.
Incumbent must be an active member in good standing of the State Bar of California and must have been admitted to practice law in California for at least 10 years, which shall include substantial family law experience. Incumbent may not engage in active practice of law during employment with the Court in this capacity.

KNOWLEDGE OF / ABILITY TO:

Knowledge of:

- Legal principles, precedents and applications as applied to judicial procedures.
- Judicial system including, but not limited to, family and civil law, juvenile, criminal, probate, codes, and statutes.
- Legal principles, precedents and applications as applied to judicial procedures.
- Court and courtroom procedures and processes.
- California Codes such as Vehicle, Penal, Evidence, Civil, Civil Procedure and Code of Judicial Conduct. California Rules of Court and procedures related to the acceptance of pleas, rulings, sentencing and disposition of criminal cases.
- Court procedures, protocols and calendaring practices.
- Legal research methodology and writing.
- Trial Court administration.
- Principles and practices of policy and/or procedure development and implementation.
- Public sector employment law, labor unions and labor negotiations.
- Contract and procurement law.
- Computer-assisted legal research.
- Modern office methods and technology including the use of a personal computer and related software such as work processing, spreadsheets, databases, case management systems and scheduling programs.
- Legal terminology.
- Correct English use, punctuation, spelling and grammar

Ability to:

- Read, understand and objectively analyze and interpret legal issues, principles and arguments.
- Prepare well-organized, clear, concise and accurate documents such as reports, orders/rulings and correspondence.
- Direct and control courtroom proceedings in a decisive, orderly and equitable manner.

- Communicate clearly and concisely, both orally and in writing.
- Exercise appropriate judicial temperament and demeanor.
- Effectively handle pressure in difficult and unexpected situations by responding in a calm and rational manner.
- Use strong interpersonal skills to establish and maintain effective working relationships with all levels of Court staff, elected and appointive bodies and members of the general public.
- Maintain confidentiality of information and exercise discretion and independent judgment.
- Work under the pressure of deadlines, conflicting demands and emergencies.
- Understand, follow and give written and oral instructions.
- Complete all duties as assigned timely and accurately.
- Meet the education and training requirements established in California Rules of Court, rule 5.340 by attending new judicial officer and continuing education programs.
- Learn and utilize the Department of Child Support Services California Guideline Child Support Calculator.
- Use tact and diplomacy when dealing with sensitive, complex and/or confidential issues and situations.
- Establish, maintain, and foster positive and effective working relationships with those contacted in the course of work.

SPECIAL REQUIREMENTS:

- Certification of eligibility to work in the United States of America.
- Possession of, or the ability to obtain, an appropriate valid California Driver's License.
- Current membership in the State Bar of California.
- All Court employees can and will be called upon to act as Disaster Workers when needed.
- The ability to pass a fingerprint clearance by the Federal Bureau of Investigation (FBI) and Department of Justice (DOJ). Convictions, depending on the type, number and date, may be disqualifying.
- A financial disclosure statement pursuant to Fair Political Practices Commission Regulations is required within 30 days following appointment and annually thereafter.

SUPPLEMENTAL QUESTIONS:

1. Are you a current active member in good standing with the State Bar of California?
2. Please state why you are interested in this position and why you believe you are qualified for the position.
3. Please describe your experience in each of the following areas of law, with a focus on your research, analysis and writing experience in each area. Include the number of months or years of experience in each area, the types of matters worked on, and for which employer you performed this work: Civil Law, Criminal Law, Family Law, Juvenile Law, Probate Law, and Appellate Law.
4. What aspects of your background do you feel make you uniquely qualified for the position?
5. Please attach two briefs or legal memoranda (partial or complete) that you have personally and solely written.

SUPPLEMENTAL INFORMATION:

The contents of this class specifications shall not be construed to constitute an expressed or implied warranty or guarantee, nor shall it constitute a contract of employment. The Superior Court of California, County of San Benito, assumes no responsibility beyond the general accuracy of the document, nor does it assume responsibility for any errors or omissions in the information contained herein. The contents of this specification may be modified or revoked without notice. Terms and conditions of employment are determined through a "meet and confer" process and are subject to the Memorandum of Understanding currently in effect.