

PUBLIC DEFENDER

DISTINGUISHING FEATURES OF THE CLASS:

The Public Defender shall represent without charge at the request of the defendant, or by order of the Court with the consent of the defendant, each indigent defendant who is charged with a crime as defined by Section 722(a) of the County Law. The Public Defender shall counsel and represent the defendant at every stage of the proceedings following his arrest and shall initiate such proceedings as in his judgment are necessary to protect the rights of accused and may in his discretion, prosecute any appeals if in his judgment the facts and circumstances warrant such. The Public Defender also must prosecute appeals to which he may be assigned by the Appellate Division. In addition, the Public Defender may utilize professional, technical and clerical personnel in the investigation, preparation, conduct and appeal in any court proceedings involving indigent defendants and still have the power to retain special counsel with budget limits. The work is performed under guidelines provided by law.

TYPICAL WORK ACTIVITIES:

1. Assigns counsel or attorneys from his staff for each indigent defendant who is charged with a crime;
2. May secure the services of experts in various fields to assist in defending indigents, within the limits of his budget;
3. Represents and counsels defendants at every stage of the proceedings following an arrest;
4. Initiates such proceedings which are necessary to protect the rights of the accused;
5. Prepares any appeal which is warranted under existing circumstances, or to which he is assigned by the Appellate Division;
6. Keeps records and makes reports;
7. Does related work as required.

FULL PERFORMANCE KNOWLEDGE, SKILLS, ABILITIES AND PERSONAL CHARACTERISTICS:

Comprehensive knowledge of the principles and practices of criminal law applicable to state and federal criminal laws; complete knowledge of investigative techniques; comprehensive knowledge of criminal court procedures and of the rules of evidence; a high degree of skill in the preparation of briefs; skill in presentations of a defense before a jury; special 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 judgment; good address; physical condition commensurate with the demands of the position.

RECOMMENDED MINIMUM QUALIFICATIONS:

Five years of experience as a practicing attorney in the field of criminal law. Three years of which in the aggregate, must have involved extensive court appearance in the trial of issues in such field.

SPECIAL REQUIREMENT:

Admission to practice as an attorney and counselor at law before the courts of the State of New York at the time of application for appointment.

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