

BRADLEY C. BERRY
DISTRICT ATTORNEY

DEBRA L. BRIDGES
OFFICE ADMINISTRATOR
DIRECTOR OF VICTIM SERVICES

MARGARET (PEGGY) SNOW
DEPUTY DISTRICT ATTORNEY
SUPPORT ENFORCEMENT

LISL E. MILLER
DEPUTY DISTRICT ATTORNEY

MEUY F. CHAO
DEPUTY DISTRICT ATTORNEY

KATHRYN (KATE) A. LYNCH
DEPUTY DISTRICT ATTORNEY

MICHAEL D. VIDETICH
DEPUTY DISTRICT ATTORNEY
JUVENILE DEPARTMENT



**OFFICE OF THE DISTRICT ATTORNEY
FOR YAMHILL COUNTY**
535 E. 5TH STREET
MCMINNVILLE, OREGON 97128
TELEPHONE (503) 434-7539
FAX: (503) 434-5760

AMANDA DRESEN
DEPUTY DISTRICT ATTORNEY

HOLLY N. WINTER
DEPUTY DISTRICT ATTORNEY

ADAM R. SCHENKER
DEPUTY DISTRICT ATTORNEY
JUVENILE DEPARTMENT

ALISA N. RAY
DEPUTY DISTRICT ATTORNEY

BENJAMIN L. DONNER
DEPUTY DISTRICT ATTORNEY

STEPHANIE D. HARMON
DEPUTY DISTRICT ATTORNEY

October 31, 2017

To: Board of Commissioners
Laura Tschabold
Desiree Lundeen

From: Brad Berry, District Attorney

Re: Position authority request

As you are aware, for several years, I have shared with you the need to again have the position of Chief Deputy District Attorney. This position would be a management position and answer directly to the District Attorney. Supervision over the other Deputy District Attorneys, along with many other duties, would be included in this position.

The intent is to promote from within, significantly increasing the duties and responsibilities of one of my current deputies. However, because this position does not technically exist at this time, I have been advised that I need to request "position authority" for the Chief Deputy District Attorney. Thus the purpose of this memorandum.

You are also aware that we have applied for, and received, a two year grant for a felony Deputy. My intent would be to fill the DDA 2 position vacated by the promotion of a DDA 2 to Chief Deputy, with the new grant funded position. In all, only one additional position need be approved. I hope this makes sense.

Attached is a draft copy of the Chief Deputy District Attorney job description. It is being approved by Ms. Lundeen. The position would be set at a 'range 38'. This too has been reviewed by Ms. Lundeen.

Thank you for your consideration of this request.

Respectfully submitted,

Accepted by Yamhill County
Board of Commissioners on

11-9-17 by Board Order

17-461



WORKING TITLE: CHIEF DEPUTY DISTRICT ATTORNEY	CLASSIFICATION: CHIEF DEPUTY DISTRICT ATTORNEY
DEPARTMENT: DISTRICT ATTORNEY	DIVISION: CRIMINAL
PAY RANGE: NBYCM 38	FLSA CATEGORY: EXEMPT
PHYSICAL REQUIRMENTS: ATTACHED	WORKERS COMP CODE: 8820
PPE: PER WORK LOCATION	REVISION DATE: OCTOBER 2017

JOB DESCRIPTION

GENERAL STATEMENT OF DUTIES:

Supervises Deputy District Attorneys in preparation and presentation of criminal, juvenile delinquency, and child support enforcement prosecution and proceedings on behalf of Yamhill County. Reviews, prepares, and tries criminal cases. Assists the District Attorney in the administration and direction of activities of the Office of the District Attorney and policy development. Performs related legal research and writing. Work involves cases and duties requiring an advanced level of experience and ability. Performs other related work as required.

SUPERVISION RECEIVED:

This is an unclassified position that serves at the pleasure of the District Attorney. Works under the general direction of the District Attorney, who assigns work, establishes goals, and reviews performance for overall effectiveness through verbal communication and analysis of reports. Work is reviewed for conformance with state statutes, case law, legal ethics, other professional practices and standards, departmental policies and procedures, and overall results obtained.

SUPERVISION EXERCISED:

Exercises full supervision of Deputy District Attorneys; participates in the selection of new personnel, provides for training, evaluates performance, responds to grievances or disciplinary issues.

DUTIES AND RESPONSIBILITIES INCLUDE ESSENTIAL FUNCTIONS OF POSITIONS ASSIGNED TO THIS CLASSIFICATION. DEPENDING ON ASSIGNMENT, THE EMPLOYEE MAY PERFORM A COMBINATION OF SOME OR ALL OF THE FOLLOWING DUTIES:

- Prepares criminal matters for and represents the State at trial, appeal, and related hearings.
- Provides legal assistance and advice to law enforcement agencies in criminal matters; is available on-call at all times for such advice and assistance.
- Presents cases to and questions witnesses before grand jury or preliminary hearing; prepares criminal indictments and subpoenas witnesses as directed by the grand jury.
- Prepares discovery, arrest, and search warrant affidavits, extradition requisitions and other investigatory and pre-trial procedures.
- Advises and represents the juvenile department in juvenile delinquency and dependency proceedings.
- Reviews and enforces child support matters involving spouses not receiving public assistance.
- Brings proceedings for collection of delinquent fines, costs, and bail or security forfeitures.
- Conducts legal research necessary for case preparation and/or office management to broaden legal background; keeps abreast of case law and legislation affecting state criminal laws.

- Assists the District Attorney in formulating and implementing office policies.
- Assigns caseloads within a trial team, Juvenile Division or the Family Support Division, in conjunction with the District Attorney.
- Trains and supervises Deputy District Attorneys
- Reviews and evaluates performances.
- Supervises, monitors major cases, and other workload assigned to Deputy District Attorneys.
- Serves as liaison between the District Attorney's Office and outside agencies when the District Attorney is unavailable or so directs.
- Assists the District Attorney in preparation of the annual budget.
- Provides, on a scheduled basis, off-hour, and on-call services to police agencies requiring assistance during nights and weekends.
- Oversees death investigations as directed by the District Attorney.
- Reviews petitions for disclosure of public records.
- Writes and issues opinions.
- Provides training to outside agencies and professional law enforcement organizations, including the preparation of written materials, and conducting community presentations which may require travel and overnight trips.
- Coordinates interagency law enforcement task forces/teams, as directed.
- Participates in legislative law policy and or/development.
- Interviews, hires and trains new attorneys and law clerks.
- Interacts with the media at the direction of the District Attorney.
- Conducts special prosecution cases in other jurisdictions as directed by the District Attorney.

JOB SPECIFICATION

KNOWLEDGE OF:

- Practices and procedures of criminal and juvenile law.
- Practices and procedures of support enforcement and juvenile dependency law.
- Courtroom and trial procedures.

SKILL IN:

- Assertive courtroom presentation of cases.;
- Superior communication skills; both verbally and in writing.
- Appearing effectively before a trial court or administrative body.

ABILITY TO:

- Analyze facts, evidence, and precedents, and to arrive at logical conclusions, and to set forth findings of fact and decisions in concise written forms.
- Interact effectively with the public, witnesses, victims, and law enforcement personnel.
- Supervise and provide guidance and advice to Deputy District Attorneys.
- Maintain effective working relationships with police agencies, judges, defense counsel and the public.
- Attend work as scheduled and/or required

MINIMUM EXPERIENCE AND TRAINING:

Graduation from an accredited school of law and five (5) years' experience as a licensed attorney practicing in criminal, juvenile and child support law or an acceptable combination of these areas of

law. Additionally, must be a member in good standing of the Oregon State Bar at the time of appointment and must maintain membership in good standing through the term of employment.

OTHER REQUIREMENTS:

Ability to secure and maintain a drivers' license valid in the state of Oregon, or an acceptable alternative means of transportation. May be required to drive a County vehicle. Employees authorized to operate a private vehicle on County business are required to carry a valid driver's license and liability insurance minimums as outlined in ORS 806.070.

Must successfully pass a background check.

WORK ENVIRONMENT/PHYSICAL DEMANDS SUMMARY:

The incumbent typically works in an office environment and uses a computer, telephone and other office equipment as needed to perform duties. The noise level in the work environment is typical of that of an office. Work also may involve travel to meetings. Incumbent may encounter frequent interruptions throughout the work day.

The employee is regularly required to sit, talk, or hear; frequently required to use repetitive hand motion, handle or feel, and to stand, walk, reach, bend or lift up to 20 pounds

Contact with the public may risk exposure to irrational/hostile behavior, contagious diseases, or contact with domestic animals.

The physical demands are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

This job description in no way states or implies that these are the only duties to be performed by an employee occupying this position. Employees may be required to perform other related duties as assigned, to ensure workload coverage. Employees are required to follow any other job-related instructions and to perform any other job-related duties requested by their supervisor. This job description does NOT constitute an employment agreement between the employer and employee, and is subject to change by the employer as the organizational needs and requirements of the job change.

The job specification requirements stated are representative of minimum levels of knowledge, skills, and abilities to perform this job successfully. Any satisfactory equivalent combination of experience and training which ensures the ability to perform the work may substitute for the above so that the employee will possess the abilities or aptitudes to perform each duty proficiently.