



# Job Description

## Kittitas County, Washington

**TITLE:** DEPUTY PROSECUTING ATTORNEY (“DPA”) I - III  
 REVIEWED  MODIFIED: 1/5/2022  
**REPORTS TO:** CHIEF CRIMINAL/CIVIL DEPUTY DEPENDING ON ASSIGNED DIVISION  
**DEPARTMENT:** PROSECUTING ATTORNEY’S OFFICE  
**JOB SUMMARY:** This position is responsible for criminal prosecutions in Kittitas County and/or providing legal counsel for Kittitas County government related civil and criminal matters. The DPA must maintain courteous and cooperative working relationships with administrative and other County personnel, agencies, and the public, and work under the guidance of Local/State/Federal regulations, and County policies and procedures.

<b>CATEGORY:</b>	Full-Time	<b>OCCUPATION CODE:</b>	2314, 2315, 2317
<b>UNION AFFILIATION:</b>	None	<b>HRS/WEEK</b>	40
<b>FLSA STATUS:</b>	Exempt	<b>DRS ELIGIBILITY:</b>	PERS

### ESSENTIAL FUNCTIONS:

**Responsible and carry out any or all the following duties of Deputy Prosecutor as directed and assigned by the Kittitas County Prosecuting Attorney and/or Division Chief**

- Consult on a frequent basis with all attorneys in the office by being available for questions and providing guidance or feedback for other DPAs as appropriate; attend weekly attorney meetings.
- Work on special projects as assigned or as deemed appropriate.
- Read and become familiar with current laws and maintain proficiency with any changes in the law (statutory, admin, and/or caselaw).
- Provide information and expertise as requested by community groups or classes.
- Understand and follow all office policies.
- Work effectively and cooperatively with all office staff.
- Maintain an accurate calendar (using Outlook) with court appearances, scheduled training, and any time out of the office (sick, vacation, meetings).
- Communicate clearly and frequently with Division Chief about performance expectations, goals, and work habits.

### Criminal Division-specific duties

- Prosecute crimes within the county (felony and misdemeanor), within Superior Court (including Juvenile cases), and District Court as assigned by the Kittitas County Prosecuting Attorney and or Division Chief.
- Review search warrants and other law enforcement generated investigative documents, advising on necessary changes and additions.
- Consult with law enforcement regarding their investigations when requested; advise law enforcement about legal issues related to the criminal cases; take “on call” weeks to be available to answer law enforcement questions 24/7.
- Meet with and be accountable to members of the community regarding criminal prosecutions.
- Review reports for legal sufficiency and determine appropriate charges to be filed, referred back to LE for further investigation, or declined.
- Draft legal pleadings that are detailed, accurate, and professional including Informations and/or Criminal Complaints, Jury Instructions, Trial Briefs, Motions in Limine, Probable Cause statements, etc.

- Identify witnesses and evidence in each case and contact/interview victims and witnesses before trials; work with legal assistants and victim witness personnel to provide complete discovery to defense.
- Prepare pre-trial motions and perform necessary legal research for drafting pre-trial, trial, and post-trial memoranda and briefs for the court.
- Respond to defense motions with legal research and argument.
- Perform as a trial litigator, including being able to:
  - Prepare for direct and cross-examination of witnesses, including further consultations with police, and research on witness backgrounds.
  - Prepare opening statements and closing arguments, bearing in mind voluminous court cases which pertain to the allowable content of such statements and arguments.
  - Select juries who will be fair and impartial and base their verdicts on evidence.
  - Be prepared for making and meeting objections as they occur.
  - Know and be able to use the rules of evidence and the foundational requirements for any physical or testimonial evidence sought to be introduced in court by either side.
- Consult with victims regarding their input into plea bargaining decisions or sentencing in cooperation with victim/witness personnel.
- Correctly apply the various rules of the sentencing reform act to determine the presumptive range for criminal offenses, and take steps to ensure that adequate documentation of criminal history is available.
- Make appropriate recommendations for sentencing and be able to defend those recommendations in court.
- Work with probation officers and department of corrections personnel to come up with appropriate responses to probation violations.
- Present probation violation testimony as needed and argue for the position of the State.
- Draft appeals of pre-trial rulings as appropriate.
- Respond to defendant's appeals or personal restraint or habeas corpus petitions, performing all necessary legal research and writing of legal briefs.
- Argue appeals at the Superior Court, Court of Appeals, and/or the Supreme Court.
- Negotiates cases with other parties and attorneys through written, in person, telephonic, and e-mail means.

#### **Civil Division-specific duties**

- Advise all County boards and commissioners on County civil issues.
- Advise all County Elected Officials and their offices regarding County government civil issues.
- Advise all Department Heads and their departments regarding County government civil issues.
- Represent the Prosecutor's Office at public meetings and executive sessions.
- Review and evaluate County contracts and forms for legality and recommend changes when necessary.
- Prepare and/or evaluate drafts of proposed resolutions and ordinances.
- Research civil and legal issues on behalf of County boards, commissions, and departments.
- Initiate and process appropriate County civil court actions and appeals on behalf of the County in state or federal court and represent the County in all proceedings related to such legal actions.
- Appear and represent the County in civil court actions and appeals brought against the County in state and federal court and represent the County in all proceedings related to such lawsuits.
- Respond to public disclosure requests made to the Prosecutor's Office and assist boards, commissions, and other departments in the processing of their public disclosure requests.
- May be designated as County Claims Administrator.

#### **OTHER FUNCTIONS:**

- Responsible for coverage for all Deputy Prosecutors in their primary area of assignment.
- Perform all other tasks as may be required in the interests of the office or in the interests of justice.

*This job description is a summary of the primary functions and expectations for this position. Additional department-related duties may be assigned as required.*

**MINIMUM QUALIFICATIONS:****All Positions**

- High School diploma or GED equivalent.
- Juris Doctorate degree from an accredited law school OR successful completion of the Rule 9 program, followed by admission to the Washington State Bar.
- Knowledge of applicable statutes, common law, case law, and procedural rules.
- Valid WSBA number/license
- Excellent written and oral communication skills.
- Ability to: Set priorities; work with law enforcement, other criminal justice personnel and clerical personnel; follow the rules of court; maintain professionalism; and provide service to the public on a daily basis.
- Valid Washington State driver's license.
- A criminal history and background check to include fingerprinting will be performed on qualified candidates. Convictions may preclude candidates from employment in certain circumstances. Factors such as relativity to the position, age at time of the offense, seriousness and nature of the violation, and rehabilitation will be taken into account.

**Deputy Prosecutor I**

- 0 – 5 years of experience as a licensed attorney.

**Deputy Prosecutor II**

- 5 – 10 years of experience as a licensed attorney.

**Deputy Prosecutor III**

- 10 or more years of experience as a licensed attorney.

**REQUIRED KNOWLEDGE, SKILLS, & ABILITIES**

- Communicate professionally and respectfully, both verbally and in writing.
- Maintain proper documentation in the courtroom setting.
- Maintain interpersonal relationships in a small office environment by treating peers and staff with respect, being mindful of communication styles and adjusting to fit the needs of the office environment.
- Be familiar with and abide by the Rules of Professional Conduct for attorneys.
- Proficient with computers including Microsoft Office programs, and possess the ability to learn other programs specific to the office or County.

**PREFERRED QUALIFICATIONS:**

- Knowledge of municipal government law.

**WORKING CONDITIONS:**

The person in this position will be required to work in an office or courtroom setting but may also travel to view crime scenes throughout the County. Sustained posture in a seated position, walking, kneeling, crouching, stooping, reaching, climbing (stairs or other), twisting, crawling, and prolonged periods of computer operation; and strength to lift up to 25 pounds or more with assistance. Must have close, distance, color, and peripheral vision, depth perception, ability to adjust focus, read printed materials, a computer screen, and assess situations in varying environments and degrees of light; and hearing and speech to communicate clearly in person or over the telephone.

The position involves constant deadlines, interruptions, and emergencies. The Deputy Prosecutor works with persons whose negative emotions may range from crying and nearly incapacitated to hostile and openly enraged.

Work is typically performed during regular office hours; however, exempt positions are expected to work the number of hours necessary to complete the duties of the position. Reliable attendance and punctuality are required. Periodic travel is required for meetings and/or training opportunities. Must be able to safely operate a motor vehicle in varied weather conditions and all levels of daylight. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

**PREPARED & REVIEWED BY:**

*Must be completed with all revisions of the job description. A copy will be returned to supervisor.*

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Supervisor Name & Title Date

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HR Representative Name & Title Date

**EMPLOYEE ACKNOWLEDGEMENT:**

I understand the job duties and responsibilities contained within this position description and as described by the immediate supervisor.

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Employee Name Date