

REPORT NO: 15-Special 1
DATE: 10/20/2015
ANALYST: Michael Hebner

CLASSIFICATION REPORT

PROPOSED TITLE: Supervising Attorney Criminal

CURRENT TITLE: Supervising Attorney Criminal

INCUMBENT: Michelle Jacobson, Timothy Richards, and Christopher Dixon

REASON FOR REQUEST: Request to review an existing appointed class to determine appropriate level based on duties and responsibilities

DATE QUESTIONNAIRE SUBMITTED: 9/21/2015

DATE OF PREVIOUS STUDY: 2008

DISPOSITION OF PREVIOUS STUDY: Establish four positions as Supervising Attorney Criminal Attorney (Appointed, 608 points, Grade 13)

PERSONS INTERVIEWED: Susan Segal, City Attorney

RECOMMENDATION: The Supervising Attorney Criminal (Appointed) remains properly Graded at Grade 13 with factor allocation changes in the Relationships Responsibility factor from 65 to 75, and the Effort factor from 65 to 70, moving the total from 608 points to 628

The City Attorney is requesting a review of the Supervising Attorney Criminal Appointed positions. She has submitted a description for the criminal supervising attorney position showing how the position has changed from how it was originally implemented. Instead of four supervisors, there are now only have three, and they spend the vast majority of their time supervising and doing related tasks and considerably less time handling cases.

Specific duties of the position include:

Supervise a team, which includes Assistant City Attorney IIs, Assistant City Attorney Is, Case Investigators, Paralegals, and Victim Witness Assistants:

- Create the daily line-up and ensure that all court appearances are covered by attorneys.
- Assign charging of complaints and consult with attorneys on charging decisions, case preparation, and negotiations for resolution.
- Take responsibility for the day-to-day performance management of team members.
- Evaluate work performance of team members, identify performance concerns and consult with the Deputy City Attorney-Criminal about such matters; coach staff toward desired performance.
- Approve attorney requests to deviate from Division negotiation guidelines.
- Create and maintain training protocol for new attorneys.
- Take responsibility for training attorneys and other team members.
- Monitor court appearances and sign off on vacations and other leave requests of team members.
- Consult with Deputy City Attorney-Criminal and City Attorney on matters of team supervision, as necessary.
- Monitor and ensure compliance with the Office's policies and procedures.
- Monitor and ensure compliance with charging and negotiation guidelines.

Handle high profile or complex cases and other criminal cases referred to the Criminal Division.

Provide operational support to the Deputy City Attorney-Criminal and the City Attorney:

- Be part of the City Attorney's Management Team.
- Participate in policy-making and policy implementation in the Criminal Division and the City Attorney's Office by identifying areas of concern and recommending appropriate responses and by maintaining and developing statistics on various department and division initiatives in support of policy-making.
- Assist in the department business planning and in the development and implementation of department initiatives.
- Represent the City Attorney's Office in dealing with policy-making and law-making bodies, as requested.
- Take responsibility for communications with interested parties (citizens, City and other Government officials, offenders, victims, witnesses, defense attorneys, police officers and other law enforcement personnel, the media, or the City's Communications department) regarding specific cases or issues, as requested.
- Prepare materials for and present continuing legal education topics, when assigned.
- Support the implementation of information technology initiatives in the City Attorney's Office, as necessary.
- Consult with the Deputy City Attorney-Criminal regarding office policy and procedures, and disseminate information to team members.
- Attend meetings on behalf of, or with, the Deputy City Attorney-Criminal with other criminal justice partners, as requested.
- Approve team members' requests to remove a judge when the Deputy City Attorney-Criminal is unavailable.

- Investigate complaints from various individuals, including court personnel, members of the public, law enforcement personnel, and report information to the Deputy City Attorney-Criminal, making recommendation on resolution, as requested.

POSITION ANALYSIS

PREREQUISITE KNOWLEDGE

There is no change to the prerequisite knowledge required. The position continues to require a Juris Doctorate from an Accredited Law School and passage of the Minnesota State Bar Exam. It requires five years of experience practicing criminal law, which have included experience leading a work team or a significant project. The position requires Licensure to practice law in the Minnesota Courts and that incumbents are admitted to appear in Federal District Court.

The rating of **75 points** will be retained.

DECISIONS AND ACTIONS

The Decisions and Actions of the job remain consistent with the original review. That is, the positions review and evaluate work products, mentor and coach staff, make decisions, and take action on all but the most complex and controversial matters in the assigned criminal area (which involve the Deputy City Attorney Criminal). This includes determining assignments for attorneys, reviewing work, and providing advice to staff on how to handle cases, and resolving problems with technology, and conflicts with staff. The positions work with the Deputy City Attorney Criminal in developing performance evaluations for assigned staff. The Deputy City Attorney must approve recommendations for discipline. The Supervising Attorneys make recommendations to the Deputy and City Attorney for policy and procedure changes, strategy for critical matters. Including high profile cases and the development of legislative initiatives.

The Supervising attorneys have a significant level of responsibility for relations and communications with the Minneapolis Police Department to provide immediate consultations and legal advice.

The rating of **65 points** will be retained. Jobs at this level manage more significant units entailing greater impact on resources, or serve in a supervisory level staff or analytical capacity. The majority of these jobs are appointed. These jobs require exercise of independent action. Decisions tend to have great impact on the organization. Work is done under general supervision in accordance with broadly stated policies or principles. Most work is of an advanced nature and calls for the exercise of independent judgment. Decisions and actions are subject to prior approval only in unusual cases or where considerable complexity and/or expense is involved.

SUPERVISORY RESPONSIBILITY

The three existing positions supervise a total 32 staff. The average number supervised is just over 10 Staff. The positions supervise Assistant City Attorneys, Case Investigators, Paralegals and Victim Witness Assistants. The current rating of **15 points** is appropriate for the number supervised, and will be retained.

RELATIONSHIPS RESPONSIBILITY

Within the City attorney's Office the Supervising attorneys work with the Assistant City Attorneys and other Criminal Division personnel regarding assignments, coverage, legal issues, and other issues of concern. They will work amongst themselves to coordinate assignments, coverage, handling of legal issues and other issues of concern, and to problem solve, and develop new initiatives. They will interact with the Deputy City Attorney-Criminal to discuss/update critical issues related to the office and to the Criminal Division, and regarding problem solving and developing new initiatives. They will act with the City Attorney to discuss and update critical issues, or in Deputy-City Attorney-Criminal's absence.

Outside of the Criminal Division but still within the City Attorney's Office the positions will interact with Assistant City Attorneys in the Civil Division regarding issues in which the Civil Division may be involved. They will work with the Managing Attorneys Civil to discuss issues in which their Civil expertise and counsel may be needed. The positions will work with the Deputy City Attorney-Civil to discuss issues in which the Civil Division may be involved. The positions will work with the Manager of Administration regarding issues related to operations, or computer systems. The positions will interact with the File Room personnel regarding preparation of case materials, scheduling, and related concerns.

City government contacts outside the City Attorney's Office include contacts with Minneapolis Police Officers regarding matters related to Criminal Division cases. The job has contact with staff in the City's Communication Department regarding cases receiving media attention. These positions work with City elected officials regarding specific cases or issues related to the Criminal Division. There is need to contact personnel in other City departments including Public Works, City Clerk's Office, Finance Property Services to discuss issues related to the Criminal Division. There is contact with the Information Technology Department to discuss technical issues, and specific technology needs and projects.

Contact with City Officials will include contact with the Police Chief or designee regarding specific Criminal Division cases, policies, or other issues. The positions interact with the City Council members or designees regarding Criminal Division matters, policies, legislation, etc.

Contacts outside the City include District Court personnel, ranging from judges to court clerks, regarding issues related to the Criminal Division caseload and Criminal Division operations. There is contact with Attorneys representing defendants regarding cases and with members of the media, regarding Criminal Division cases or issues.

There is also contact with the Citizens of Minneapolis and other communities, regarding inquiries about specific cases, and criminal issues. The positions work with other law enforcement personnel regarding cases. They work with Community representatives, including representatives of advocacy groups, business groups, neighborhood groups, and other criminal justice partners regarding inquiries about specific cases and issues.

A rating of **75 points** will be assigned. Jobs at this level are required to deal with sensitive and important matters on a frequent basis. There is daily contact with other executives in the Department where the job is assigned regarding issues, policies, procedures and in response to legal situations and inquiries. At this level the jobs are regularly communicating with City Council Members and staff to advise them of aspects of the departmental operation that impact individual wards or to discuss City positions, policies, and legal situations. This level has contact with the media involving current issues, as well as contacts with community members and business leaders regarding City work efforts. At this level the incumbent represents the City in wide variety of forums and with a diverse clientele. Well developed and strong communication skills are required. It is important to maintain strong relationships. This level entails dealing with major problems, legal issues, and communication challenges.

Jobs at this level are high level professional and managerial jobs which are called on to deal with sensitive and important matters on a frequent basis. At this level communications are of considerable importance, on behalf of the City on matters relating to a function or department functions. This level requires highly developed communications skills and very strong interpersonal skills. At this level it is frequently necessary to exercise relationship skills.

WORKING CONDITIONS

The position will work at the City in an Office environment and in Court rooms when required. There is exposure to computer and copiers and other office equipment.

A rating of **20 points** is appropriate and will be applied.

EFFORT

The effort in the position is mental effort in taking action and responding to inquiries from various people including judges, police staff, City Elected officials, Assistant City Attorneys, and the media, sometimes within short timelines. The Supervising Attorney positions need to pay close attention to detail in dealing with trials, hearings, and meetings in the Criminal Division where adversarial legal process is constant. There is mental effort in supervising the Assistant City Attorneys in the Criminal Division, including making assignments, delegating, monitoring and providing advice and direction in legal matters. The Supervising Attorneys will work on various business, work, and office projects at the request of the City Attorney entailing work in personnel, budgeting, organization planning, and analysis. The work of the Supervising Attorneys entails deadlines in legal processes and in the project work.

A rating of **70 points** will be assigned. Jobs at this level are executives in the appointed service responsible for planning, coordinating, and monitoring activities which requires mental effort and creates stress. They deal with competing priorities which create stress and these jobs require mental effort in developing alternative recommendations or plans for budgets, personal actions, Department initiatives, and solutions for identified problems. There are numerous pressures to meet deadlines in the work, and on projects, reports, budget preparation, plan development, handling inquiries, etc.

RECOMMENDATION:

The Supervising Attorney Criminal (Appointed) remains properly Graded at Grade 13 with factor allocation changes in the Relationships Responsibility factor from 65 to 75, and the Effort factor from 65 to 70, moving the total from 608 points to 628

CLASSIFICATION FACTOR WORKSHEET								
Benchmark Classifications	Factors						Total Points	Grade Level
	1	2	3	4	5	6		
Assistant City Attorney II	70	60	0	55	20	60	543	12
Assistant City Attorney III	75	65	0	65	20	65	593	13
Supervising Attorney Criminal (Current)	75	65	15	65	20	65	608	13
Managing Attorney Civil	80	70	15	75	20	70	658	14
Deputy City Attorney Criminal	90	80	25	80	20	75	740	16
PROPOSED CLASSIFICATION								
Supervising Attorney Criminal	75	65	15	75	20	70	628	13

1. Prerequisite Knowledge
2. Decisions and Actions
3. Supervisory Responsibility
4. Relationship Responsibility
5. Working Conditions
6. Effort

