

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



ITEM
3.28
(ID # 5883)

MEETING DATE:

Tuesday, December 12, 2017

FROM : HUMAN RESOURCES:

SUBJECT: HUMAN RESOURCES: Classification and Compensation recommendations to establish new classifications for the District Attorney's Office; compaction adjustments for the Assistant District Attorney and Chief Deputy District Attorney classifications; and amend Ordinance No. 440 pursuant to Resolution No. 440-9071 submitted herewith, All Districts. [Total Cost - \$157,698] [Departmental Budget]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve the creation of a new, At-Will, Managing Deputy District Attorney classification and a new Senior Paralegal classification.
2. Approve the compaction adjustments for the classifications of Assistant District Attorney and Chief Deputy District Attorney.
3. Amend Ordinance No. 440 pursuant to Resolution No. 440-9071.

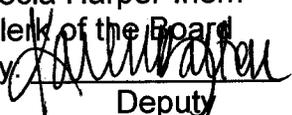
ACTION: Policy


Michael Bowers, Assistant HR Director 12/14/2017

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Tavaglione, seconded by Supervisor Jeffries and duly carried, IT WAS ORDERED that the above matter is approved as recommended and that Resolution 440-9071 is adopted as recommended.

Ayes: Jeffries, Tavaglione, Perez and Ashley
Nays: None
Absent: Washington
Date: December 12, 2017
xc: HR

Kecia Harper-Ihem
Clerk of the Board
By: 
Deputy

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FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:
COST	\$ 136,685	\$ 21,014	\$ 157,698	\$
NET COUNTY COST	\$	\$	\$	\$
SOURCE OF FUNDS: Department Budget			Budget Adjustment:	No
			For Fiscal Year:	2017/18

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

The Human Resources Classification and Compensation Division received a request from the District Attorney's Office to establish a new, At-Will, Managing Deputy District Attorney classification and establish a career ladder for the Paralegal series with the addition of a new Senior Paralegal classification.

The District Attorney's Office is comprised of approximately 700 attorneys and support staff who serve more than 2 million residents across the 10th largest county in the United States. The District Attorney's Office files, on average, more than 40,000 criminal cases each year and is one of the largest District Attorney's offices in the state. The District Attorney works with every component of the criminal justice system as well as within our community to prevent and deter crime and promote public safety. As such, each employee within the department is an integral part of this process and through their collected efforts, are able to fulfill the critical responsibilities of the District Attorney's Office.

The District Attorney's Office is requesting the creation of an At-Will designated Managing Deputy District Attorney classification to directly lead multiple Integrated Trial Teams (ITT) within an assigned division. This classification will identify operational and strategic needs of individual and collective ITTs within assigned divisions and coordinate with counterparts in other regional offices to draft and submit recommendations for countywide or regional policy implementation. Incumbents will further be expected to carry a caseload of difficult cases and/or sensitive prosecutions of great public interest. The District Attorney's Office has requested this classification be established at a rate of pay that is 8.7% above the salary of the subordinate Supervising Deputy District Attorney classification.

The costs associated with these salary adjustments will be absorbed by the department within existing budget allocations. There will be no additional budgetary impact due to a permanent reduction in the number of budgeted management positions.

Additionally, in support of the elected District Attorney's initiative to reduce the department's budget through the effective use of paralegals, we are seeking to expand the Paralegal classification series with the inclusion of a highly specialized and experienced Senior Paralegal

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STATE OF CALIFORNIA**

classification. This new classification will enable the Department to address the increased caseloads which are the result of several unfunded mandates found in recent initiatives and newly legislated statues which place additional duties upon the prosecution. To facilitate this labor shift, the Senior Paralegal classification will include Paralegals with the necessary experience and background to perform not only the full range of paralegal duties but also to perform all delegable constitutional, statutory, and ethical obligations for the most complex litigation in both criminal and civil prosecutions by the District Attorney's Office.

The costs associated with this new classification will be absorbed by the department within existing budget allocations. There will be no additional budgetary impact due to a combined approach of 1) permanent position reduction in subordinate Paralegal I classifications and 2) defunding of budgeted subordinate Paralegal II positions.

CLASSIFICATION ADDITIONS

Managing Deputy District Attorney: It is recommended to add this classification to the Class and Salary Listing at salary plan/grade MAT 134/L15 (\$147,723 - \$214,890). This classification shall be designated At-Will in accordance with the provisions provided under Article 6, Section 601E (7) of the County Management Resolution. This request is only to add the classification and there is no immediate financial impact associated with this request. The new class specification is attached.

Senior Paralegal: It is recommended to add this classification to the Class and Salary Listing at salary plan/grade SEU 508/L18 (\$53,792 - \$84,494). This request is only to add the classification and there is no immediate financial impact associated with this request. The new class specification is attached.

SALARY PARITY ADJUSTMENTS

Assistant District Attorney: It is recommended to grant this classification an approximate 1% parity adjustment from salary plan/grade MAT 142/L15 (\$163,525 - \$237,861) to MAT 144/L15 (\$165,150 - \$240,240). The proposed parity adjustment will resolve the compaction issue created with the Chief Deputy District Attorney classification. There are currently four incumbents.

Chief Deputy District Attorney: It is recommended to grant this classification an approximate 4.4% parity adjustment from salary plan/grade MAT 135/L15 (\$149,299 - \$217,158) to MAT 138/L15 (\$155,851 - \$226,713). The proposed parity adjustment will resolve the compaction issue created by the new Managing Deputy District Attorney classification. There are currently five incumbents.

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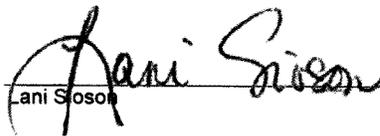
The Human Resources Department has met with the District Attorney's Office and the District Attorney's Office concurs with the suggested compaction adjustments.

Impact on Residents and Businesses

The proposed increases will not impact private residents or businesses.

ATTACHMENTS:

- A. Resolution No. 440-9071
- B. Managing Deputy District Attorney Class Specification
- C. Senior Paralegal Class Specification


Lani Sison 12/5/2017

RESOLUTION NO. 440-9071

BE IT RESOLVED by the Board of Supervisors of the County of Riverside, State of California, in regular session assembled on December 12, 2017, that pursuant to Section 3(a)(iv) of Ordinance No. 440, the Assistant County Executive Officer/Human Resources Director is authorized to amend the Class and Salary Listing of Ordinance No. 440, operative the beginning of the pay period following approval, as follows:

<u>Job Code</u>	<u>+/-</u>	<u>Class Title</u>	<u>Salary Plan/Grade</u>
78527	+	Managing Deputy District Attorney	MAT 134/L15
78497	+	Senior Paralegal	SEU 508/L18

BE IT FURTHER RESOLVED that pursuant to Section 3(c)(ii) of Ordinance No. 440, the Assistant County Executive Officer/Human Resources Director is authorized to add the following classification(s) to Appendix II, operative the beginning of the pay period following approval, as follows:

<u>Job Code</u>	<u>+/-</u>	<u>Class Title</u>
78527	+	Managing Deputy District Attorney

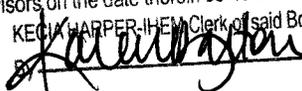
BE IT FURTHER RESOLVED that pursuant to Section 8(c) of Ordinance No. 440, the Assistant County Executive Officer/Human Resources Director is authorized to amend the Class and Salary Listing of Ordinance No. 440, operative the beginning of the pay period following approval, as follows:

<u>Job Code</u>	<u>Class Title</u>	<u>From Salary Plan/Grade</u>	<u>To Salary Plan/Grade</u>
78539	Assistant District Attorney	MAT 142/L15	MAT 144/L15
78535	Chief Deputy District Attorney	MAT 134/L15	MAT 138/L15

ROLL CALL:

Ayes: Jeffries, Tavaglione, Perez and Ashley
 Nays: None
 Absent: Washington

The foregoing is certified to be a true copy of a resolution duly adopted by said Board of Supervisors on the date therein set forth.

KECIA HARPER-HEM, Clerk of said Board

 Deputy



COUNTY OF RIVERSIDE
 Established Date: Dec 21, 2017
 Revision Date: Dec 21, 2017

MANAGING DEPUTY DISTRICT ATTORNEY

Class Code: 78527

SALARY RANGE

\$71.02 - \$103.31 Hourly
 \$12,310.27 - \$17,907.50 Monthly
 \$147,723.26 - \$214,890.00 Annually

CLASS CONCEPT:

Under general direction, supervises a staff of attorneys in a major organizational section of the District Attorney's Office; performs the most responsible professional legal work in the prosecution of criminal cases, and/or family support; and performs other related duties as required.

The Managing Deputy District Attorney is a first level manager classification and reports to a Chief Deputy District Attorney. Incumbents function as line supervisors over major sections within a geographic or functional division of the District Attorney's Office, or have charge of a Countywide division of moderate size.

The Managing Deputy District Attorney class differs from the Chief Deputy District Attorney in that the latter may direct or assist in the direction of several major divisions within a region and their responsibilities are primarily executive in nature as opposed to first-line supervision and integrated trial team management. This class is further distinguished from the Deputy District Attorney IV in that the latter primarily performs the most difficult and complex litigation and/or leads a staff of attorneys in a smaller organizational unit.

This class has been designated At-Will by the Board of Supervisors, in accordance with the provisions provided under Article 6, Section 601E (7) of the County Management Resolution and serves at the pleasure of the District Attorney.

REPRESENTATION UNIT: Management Resolution - Management

EXAMPLES OF ESSENTIAL DUTIES:

(Depending on the area of assignment, duties may include, but are not limited to, the following)

- Supervise the daily operations of a major organizational section (e.g., Felony Prosecution Unit, Misdemeanor Prosecution Unit or Juvenile Division).
- Directly lead multiple Integrated Trial Teams (ITT) within assigned division; set clear expectations for the coordination of daily operations and workflows between legal, investigative, enforcement, victim services, and clerical functions within each ITT; conduct regular staff meetings with ITTs; notify and consult with impacted divisional managers in other office disciplines.
- Identify operational and strategic needs of individual and collective ITTs within assigned units; coordinate with counterparts in other regional offices in order to draft and submit recommendations for countywide or regional policy implementation and/or modifications to Chief Deputy District Attorney and/or to enhance best practices.

- Maintain direct responsibility for integration and implementation of office policy consistent with departmental goals, objectives, and legal mandates.
- Carry a caseload of difficult cases and/or sensitive prosecutions of great public interest.
- Coordinate the interests and operations of the section with commensurate personnel in law enforcement agencies, courts, Probation Department, Office of the Public Defender, and other agencies as necessary.
- Maintain current knowledge in all state and/or federal, penal, and/or civil statutory and case law, local court rules, state and/or federal ethical rules, and office policies appropriate to their assignment in order to ensure the lawful and ethical prosecution and settlement of cases.
- Consistently and regularly observe subordinate attorneys in trial and other hearings; provide constructive feedback and identify skill set deficiencies; coordinate with Training Unit to ensure subordinates receive timely and appropriate trial advocacy and legal training needed to advance; coordinate with Appellate Unit as needed to ensure the ethical and appropriate prosecution of assigned cases.
- Meet regularly with subordinate attorneys and paralegals; set clear expectations for assignment and provide regular feedback; identify performance metrics and behavioral competencies to be assessed in current assignment and evaluated in annual performance evaluation.
- Meet regularly with subordinate attorneys on individualized career development plan; document progress toward future growth opportunities at set intervals.
- Direct responsibility to mentor, coach and instruct subordinate attorneys and paralegals on points of law, case strategy, trial advocacy, and legal procedure in assigned casework; develop problem-solving skills in subordinates; assign discretion in writing commensurate to experience, demonstrated judgment, and professional maturity.
- Responsible to initiate Human Resource and disciplinary matters involving all staff and ITT subordinates that come to their attention pursuant to office and county policy; working lead on the administration of corrective counseling efforts and performance improvement plans; ensure staff compliance with all controlling office policies and procedures.

RECRUITING GUIDELINES:

Education: Successful completion of the education required by the State of California to obtain a valid license to practice law.

Experience: Six months as a Deputy District Attorney IV in Riverside County or an equivalent class in the office of another prosecuting attorney in California.

Knowledge of: Legal principles and ethics; California statutory and case law; federal law and regulations governing Title IV-D support enforcement; the rules of evidence and the conduct of court proceedings; sentencing laws and practices; principles of effective supervision; the duties, powers, limitations, and authority of the District Attorney's Office.

Ability to: Supervise a large staff engaged in the prosecution of criminal and/or family support cases; decide on charges to be filed by evaluating the evidence and merits of cases to determine the probability of conviction and sentencing; present legal arguments and statements of fact clearly and logically in written and oral form; maintain effective working relationships with related government agencies and the public.

OTHER REQUIREMENTS:

License/Certificate: Active membership in the State Bar of California.

Possession of a valid California Driver's License is required.

Must be able to pass an extensive background check.

PRE-EMPLOYMENT:

All employment offers are contingent upon successful completion of both a pre-employment physical exam, including a drug/alcohol test, and a criminal background investigation, which involves fingerprinting. (A felony or misdemeanor conviction may disqualify the applicant from County employment.)

PROBATIONARY PERIOD:

As an Approved Local Merit System, all County of Riverside employees, except those serving "At Will," are subject to the probationary period provisions as specified in the applicable Memorandum of Understanding, County Resolution, or Salary Ordinance. Temporary and Per Diem employees serve at the pleasure of the agency/department head.



SENIOR PARALEGAL

Class Code: 78497

COUNTY OF RIVERSIDE
 Established Date: Dec 21, 2017
 Revision Date: Dec 21, 2017

SALARY RANGE

\$25.86 – \$40.62 Hourly
 \$4,482.66 - \$7,041.15 Monthly
 \$53,791.92 - \$84,493.76 Annually

CLASS CONCEPT:

Under general direction of an attorney, performs complex paralegal duties; assists one or more attorneys engaged in administrative, civil or criminal law in preparation of cases for trial; prepares legal documents, exhibits and witnesses for trial; interviews clients and conducts legal research and writing; and performs other related duties as required.

The Senior Paralegal is the lead level classification in the Paralegal series and typically reports to an attorney or supervising attorney. Incumbents are expected to exercise a high degree of independent judgement, provide project oversight to subordinate staff, and perform the most complex and difficult assignments requiring extensive knowledge and proficiency.

The Senior Paralegal class is distinguished from the Paralegal I and II by the latter's degree of supervision received and complexity of assignments performed. Complexity is defined in terms of the depth and scope of involvement in a case and by the level of responsibility of procedural and functional guidance to subordinate level paralegals while independently performing the full range of paralegal duties in support of the most complex cases.

REPRESENTATION UNIT: SEIU - Para-Professional

EXAMPLES OF ESSENTIAL DUTIES:

(Depending on the area of assignment, duties may include, but are not limited to, the following)

- Draft and prepare a variety of legal documents, correspondence, and reports that are complex and require a great amount of original writing.
- May have responsibility for highly specialized and complex assignments requiring a high level of independence including the organization of documents used in civil litigation or in the prosecution or defense of major crimes.
- Negotiate and resolve administrative issues with representatives of opposing counsel or client and respond to citizen complaints.
- Perform complex legal research in which issues are not readily defined and a substantial amount of research is required from a variety of references.
- May represent County departments and outside agencies, or be called upon to provide information at administrative hearings.

- May establish internal procedures for organizing and processing work for departmental efficiencies.
- Assist attorneys in extensive preparation of highly sensitive and complex cases involving criminal, civil or administrative cases at all phases of case preparation.
- Provide lead direction, guidance, and coordination of work to subordinate staff to ensure case priorities are achieved through administrative efficiencies.
- Track and monitor criminal databases, information on grant proposals, claims filed against the County, along with maintaining specialized departmental specific internal tracking systems.
- Develop and provide specialized training to meet particular needs for County agency personnel (e.g., ethics of law or policies and procedures); perform internal database systems maintenance and tracking to ensure statutory compliance.
- May participate in the interviewing and selection process of subordinate level paralegals.

RECRUITING GUIDELINES:

OPTION I

Education: Successful completion of the education required by the State of California pursuant to the California Business and Professions Code Chapter 5.6 Paralegals 6450 (c)(2).

Experience: Three years as a Paralegal II with the County of Riverside or two years of law office experience performing law related paralegal duties under the supervision of an attorney who has been an active member of the State Bar of California for at least the preceding three years, or practiced in a California federal court.

OPTION II

Education: Successful completion of the education required by the State of California pursuant to the California Business and Professions Code Chapter 5.6 Paralegals 6450 (c)(1).

Experience: Four years as a Paralegal II with the County of Riverside or three years of law office experience performing law related paralegal duties under the supervision of an attorney who has been an active member of the State Bar of California for at least the preceding three years, or practiced in a California federal court.

OPTION III

Education: Successful completion of the education required by the State of California pursuant to the California Business and Professions Code Chapter 5.6 Paralegals 6450 (c)(3) or (c)(4).

Experience: Five years as a Paralegal II with the County of Riverside or four years of law office experience performing law related paralegal duties under the supervision of an attorney who has been an active member of the State Bar of California for at least the preceding three years, or practiced in a California federal court.

ALL OPTIONS

Knowledge of: Principles of civil and criminal law, their application and judicial structure; principles of legal writing; complex legal research methods, techniques, and resources; legal terminology; preparation of briefs and opinions; advance communication skills including questioning and investigative interviewing techniques; ethics of law practice; trial and hearing procedures and rules of evidence; County government functions and legal responsibilities.

Ability to: Perform advanced legal research; interview witnesses; analyze complex legal problems; prepares effective and complex legal papers and documents with original writing; present statements of fact, law, and argue clearly and logically in written and oral form; interpret and analyze applicable

state and federal codes, laws, and statutes; prepare and organize evidence; work cooperatively with others; negotiate and resolve administrative issues.

OTHER REQUIREMENTS:

License/Certificate: Possession of a valid California Driver's License may be required.

Must maintain a current paralegal certification or degree by certified completion of the mandatory continuing legal education (MCLE) post-employment standards. The Paralegal series is required to certify completion of MCLE credits every two years pursuant to the California Business and Professions Code Chapter 5.6 Paralegals 6450 (d).

PRE-EMPLOYMENT:

All employment offers are contingent upon successful completion of both a pre-employment physical exam, including a drug/alcohol test, and a criminal background investigation, which involves fingerprinting. (A felony or misdemeanor conviction may disqualify the applicant from County employment.)

PROBATIONARY PERIOD:

As an Approved Local Merit System, all County of Riverside employees, except those serving "At Will," are subject to the probationary period provisions as specified in the applicable Memorandum of Understanding, County Resolution, or Salary Ordinance. Temporary and Per Diem employees serve at the pleasure of the agency/department head.