

 **City of Pendleton**

 **Job Description**

 **Municipal Court Judge**

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| **Department**: Municipal Court  | **FLSA**: Exempt |
| **Reports to**: City Council  | **Representation**: None – Department Head |
| **Pay Range**: Negotiated in contract  | **Date**: 8/1/11 |

**GENERAL POSITION SUMMARY:** *(why does this position exist)*

The Municipal Judge is appointed by, and serves at the pleasure of, the Pendleton City Council. The Municipal Judge advises court personnel, and administers judicial system, ensuring conformance with legal and departmental requirements. Works under a general employment contract provisions set forth by the City Council who is empowered to appoint and remove the Municipal Court Judge as an officer of the City under the Pendleton City Charter.

**ESSENTIAL FUNCTIONS/MAJOR RESPONSIBILITIES:** *List those tasks that must be done to accomplish the job purpose. In order of importance or time spent on the task, please describe the various duties of the job which are critical to the successful performance of the job* ***or*** *occupy more than 5% of the time. Start each sentence with an action verb. Group tasks which require similar skills/knowledge together. Think in terms of WHAT needs done, not HOW it is done. Avoid describing procedures. Describe in such a way as to be clear to someone outside the profession.*

1. Presides over trials and renders judgments for state misdemeanors, state violations, violations of city ordinances, and any other cases within the jurisdiction of the Municipal Court.

2. Presides over pretrial conferences, arraignments, motion hearings, traffic hearings, jury and non-jury trials and various other court settings as required for the City of Pendleton. Conducts restitution, aggravation/mitigation hearings, if needed, prior to sentencing.

3. Evaluates evidence presented at trial, exercises independent judgment in making rulings and findings, conducts legal research on cases before the Court; prepares and gives instructions to the jury on applicable law in jury trials; rules on motions, probation and contempt matters; deliberates on and decides cases tried before the Court without a jury; and imposes sentencing as required.

4. Authorizes issuance of search, arrest, and inspection warrants. Issues process for the arrest of persons accused of an offense against the state or city, commits any such person to jail or admits such person to bail pending trial, issues subpoenas, compels witnesses to appear and testify in any cause before the court, compels obedience to such subpoenas, issues any process necessary to carry into effect the judgments of the court, and punishes for contempt of court.

5. Establishes policies regarding bail, fines and the entry and docketing of judgments and all other matters touching the conduct of proceedings in the Court; identifies cases which may be processed by the Court Clerk for individuals who do not desire a formal court appearance. Establishes rules of procedure on questions for which standard procedures have not been established by law or by superior court.

6. Prepares and/or processes legal documents associated with Municipal Court proceedings. Writes opinions; stays current with municipal law and changes; performs related duties as required.

7. Compels obedience to the Court’s judgments, orders and process, in a case or proceeding pending therein. Compels the attendance of persons to testify in a proceeding pending before the Court, in the cases and manner provided by City Charter and the statutes.

8. Preserves and enforces order in the Court, in the proceedings before the Court, or before a person or body empowered to conduct a judicial investigation under the Court’s authority.

9. Administers oaths in proceedings pending before the Court and in all other cases where it may be necessary in the exercise of the Court’s powers or the performance of duties.

10. Cooperates fully with City Administrators, who are responsible for the administration of the court office and the supervision of the court administration staff. Follow standards as outlined in the Employee Handbook, labor agreements, and safety policies and procedures.

11. Works with Court staff to establish and administer the organization, policies, and priorities for the Municipal Court.

12. Develops and recommends to the mayor and City Council short and/or long-range plans for the Municipal Court.

13. Maintain digital contact notes in the Court’s case management data base.

**IMPORTANT FUNCTIONS:** *(list those tasks that may be done, but are not essential to fulfill the job purpose; any ancillary job tasks)*

1. Assists in administering daily operation of the Court including, but not limited to, answering correspondence and questions, selecting jury panel quarterly, scheduling Municipal Court matters, and seeing that the files are maintained properly.

2. Attends meetings and training as needed or required.

1. Performs weddings and administers oaths of office.
2. Other duties as determined appropriate or necessary for the smooth and efficient operation of the Municipal Court.

**DISTINGUISHING CHARACTERISTICS:** *(what separates this job from others in the series?)*

This position is not in a series.

**JOB SPECIFICATIONS:**

1**. Education & Experience** *Education and experience requirements are minimum standards.*

1. Graduate from an accredited law school and admission to the Oregon State Bar or graduation from the National Judicial College is required
2. Work Experience: Indicate the minimum level of work-related experience required to effectively perform the position’s responsibilities. Check only one box.

[ ]  Less than 12 months

[ ]  1 – 3 years

[ ]  3 – 5 years

[x]  5 – 8 years

[ ]  Other

Describe experience: A minimum of five years experience in the area of municipal law, criminal law, trial experience or as an administrative hearings officer, arbitrator or judge.

1. Satisfactory equivalent combination of education and experience.

**2. Special Requirements:**

1. [ ]  Must possess, or be able to obtain by time of hire, a valid driver’s license.
2. [ ]  Must be able to pass the department’s security clearance standards including review of criminal history and driving record.
3. Must be a member in good standing with the Oregon State Bar or graduate of the National Judicial College.

**3. Necessary Knowledge, Skills and Abilities:** *Note any specific knowledge, skills or abilities needed for this position. Add or delete from the sample list below.*

1. Knowledge of law and general legal principles and practices.
2. Extensive knowledge of the Oregon Court system and Municipal Court procedures, particularly those relating to traffic regulations, liquor violations and misdemeanors.
3. Knowledge of, or ability to learn and apply, City of Pendleton ordinances.
4. Ability to analyze and appraise case facts, rules of evidence and jurisdiction.
5. Ability to maintain judicial impartiality and judicial temperament in cases.
6. Ability to maintain decorum in the Courtroom.
7. Ability to maintain a non-discriminatory attitude and behavior regarding, but not limited to, race/ethnicity, religion, sex, age, disability, gender identity, and sexual orientation.
8. Knowledge of safety standards, practices and procedures applicable to area of assignment.
9. Ability to communicate clearly and concisely, orally and in writing.
10. Ability to read, understand, interpret and apply laws, rules, orders, ordinances and other legal records.
11. Ability to work effectively with elected officials, employees, public agencies and the general public.
12. Skill in the use and operation of a computer and menu-driven software systems.
13. Ability to exercise independent judgment.
14. Ability to establish and maintain effective working relationships.
15. Ability to work as a team member.
16. Ability to meet City driving standards, if required to drive for work-related activities.
17. Ability to maintain regular and predictable attendance to serve customers, interact with staff and patrons and hold court.
18. Ability to perform work in a manner consistent with the City’s Core Values of: Respect, Integrity, Caring, Responsibility, Citizenship, Cooperation and Industriousness.
19. Ability to perform the essential functions of the job.

**4.** **Tools and Equipment Used:** *List specialized tools or equipment needed to perform tasks. Add or delete from the sample list below.*

1. Standard office equipment including telephones, computer, printer, fax machine and copy machines; Computer software (Choose all that apply):

[x]  MS based word-processing, spreadsheet, and/or data base programs

[x]  Outlook or other email communication.

[ ]  Internet and/or social media

[ ]  Presentation or desktop publishing software

[x]  Specialized or custom software

1. Vehicle - Car/pickup/van/SUV

**5.** **Supervision:**

1. This position jointly supervises the Municipal Court Clerks.
2. This position reports to the City Council. Supervision received is (Choose one):

[ ]  Direct. Supervisor provides assignments, directs work on a regular basis, and tasks or procedures are usually well defined.

 [ ]  General. Work is assigned more generally and the employee has some autonomy to determine the order or manner in which the work is completed. Existing practices and procedures are used as guidelines to determine work methods.

 [x]  Limited. Work is performed highly independently with little direction. Position has significant decision-making discretion. Work is evaluated for overall effectiveness.

**6.** **Communications**:

1. Communications are: (*Choose one*)

[ ]  Primarily with other City staff and/or customers.

[x]  Regularly includes others outside the organization (not customers), such as vendors, contractors, attorneys, agents, or business partners.

[ ]  Routinely with leaders inside and outside the organization such as department heads, City Councilors, public officials from other agencies, and/or community leaders.

1. The communications may be (*Check any that apply*):

[x]  Complex

[x]  Controversial

[ ]  Confidential

[ ]  Have significant impact (affect City services or reputation, or have legal or financial consequences)

**7.** **Cognitive Functions**: *Check the one that most closely aligns to position:*

[ ]  Tasks require the employee to remember complex processes and/or be able to perform multi-step jobs without step-by-step instructions. Requires a moderate level of independent thinking and reasoning.

[ ]  Tasks are highly creative or complex and requires significant mental exertion that would typically require specialized schooling, training, certification or a license to be able to accomplish. Employee has some control over the planning and performance of the work, and may determine their own practices and procedures.

[x]  Responsibilities include significant accountability (i.e. could expose the City to risk or liability, generate public censure, or impact the work or reputation of the City.) Work is performed highly independently. Employee has significant control over the planning and performance of the work, and may develop or recommend new practices and procedures.

[ ]  Responsible for developing or approving programs/services; determining quantity and/or quality standards; and monitoring, evaluating, and analyzing program effectiveness to determine success or failure. Routinely engages in autonomous problem-solving. May include developing and implementing policies, procedures or regulations.

1. **Problem Solving:** *Indicate the nature of problems regularly encountered by this position. Check only one box.*

[ ]  Most situations are resolved using standard procedures and established guidelines.

[ ]  Situations are somewhat varied; requires application of specific technical skills and expertise.

[x]  Varied situations that require significant analysis or interpretation; general precedents and practices used, but may be modified.

[ ]  Highly varied and unpredictable situations, complex and often non-recurring; new and creative approaches required.

**9.Work Environment*:*** *The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.*

1. Work is performed primarily indoors. Work is most often in a temperature controlled office.
2. Strength Rating (see attached definitions) is: Sedentary .
3. Hazards include: *Check all that apply and include the percentage of time exposed to the listed hazard:*

[x]  Office environment / no specific or unusual physical or environmental demands.

[ ]  Work on and around heavy construction equipment \_\_\_\_%

[ ]  Exposure to toxic elements/hazardous chemicals \_\_\_\_%

[ ]  Work at heights in excess of 20 feet \_\_\_%

[ ]  More than occasional exposure to poor air quality (excessive dust, smoke, fumes, gases, etc.) \_\_\_\_%

[ ]  Exposure to weather or temperature extremes \_\_\_%

[ ]  Isolation \_\_\_\_%

[ ]  Exposure to light or noise extremes \_\_\_\_%

[ ]  Regular travel outside the City \_\_\_\_%

[ ]  Risk of injury \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_(list) \_\_\_\_%

[ ]  Significant physical exertion required to\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_%

[x]  Other (describe) Regularly interacts with distraught, angry, contentious, mentally unstable, or criminally minded individuals.

1. General hours of work are typically partial days totaling approximately 20 hours per week, but hours may vary when there are jury trials. Variations include (check all that apply):

[ ]  Frequent or regular overtime

[ ]  Subject to emergency call out

[ ]  Split or Night shifts

**10.** **Resource Accountability:**

1. Check item(s) that describe involvement in the budgetary process:

[x]  Not applicable [ ]  Input [ ]  Prepare [ ]  Forecast [ ]  Monitor [ ]  Approve

1. This position has resource accountability for the following level of assets (choose one):

[ ]  Significant – as would be typified by purchasing authorization up to $25,000, or responsibility for operation or use of very high-level equipment/assets.

[ ]  Moderate – as would be typified by purchasing authority up to $5,000 or responsibility for operation or use of equipment/assets of moderate value.

[x]  None/Low – employees with no purchasing authority or responsibility for operation or use of equipment/assets of modest value.

1. Persons in this classification are responsible to make purchasing decisions resulting in the most efficient solution for the lowest cost.

*The job classification description does not constitute an employment agreement between the employer and employee and is subject to change by the employer as the needs of the employer and requirements of the job change.*

Drafted: August, 2011

Adopted:

Revised: August, 2020

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Employee Acknowledgement/Date Supervisor Approval/Date

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Department Head Approval/Date Administration Approval/Date

Overall Job Strength Rating Definitions

(Oregon Workers’ Compensation Rules, Div. 436-035-0012)

**S - Sedentary** – exerting up to 10 pounds of force occasionally, or a negligible amount of force frequently to lift, carry, push, pull, or otherwise move objects. Job is mostly sitting, but brief walking and/or standing (occasionally) may be required.

**L – Light**  - exerting up to 20 pounds of force occasionally, or up to 10 pounds of force frequently, or a negligible amount of force continually to lift, carry, push, pull or move objects. Job is largely sitting, but more than sedentary walking or standing may be required. Work is light if job tasks are done sitting, but considerable upper body or arm movement or use of leg controls is involved.

**M – Medium** - exerting 20 to 50 pounds of force occasionally, or 10 to 25 pounds of force frequently, or greater than negligible up to 10 pounds of force continually to lift, carry, push, pull or move objects. Standing, walking, and/or other positional physical movements may be occasional to frequent.

**H – Heavy** – exerting 50 to 100 pounds of force occasionally, or 25 to 50 pounds of force frequently, or 10 to 20 pounds of force continually to lift, carry, push, pull, or move objects. Walking, standing, and other positional physical requirements may be frequent to continual.

**V/H – Very Heavy** – exerting in excess of 100 pounds of force occasionally, or in excess of 50 pounds of force frequently, or in excess of 20 pounds of force continually to lift, carry, push, pull, or move objects. Walking, standing, and other positional physical requirements may be frequent to continual.