Prairie County Montana Position of County Attorney

Salary and Benefits

Position Status: 3/4th time

Job Summary: The County Attorney position is responsible for prosecuting criminal and civil, representing the County government in legal proceedings, and advising County officials on civil matters. Provide legal advice in accordance to MCA.

Essential Functions (Major Duties or Responsibilities): These duties are the essential functions this list is not intended to cover or contain a complete listing of activities, duties or responsibilities that are required of the employee for this position. Duties, responsibilities and activities may change at any time with or without notice.

- Prosecutes criminal and civil cases in Justice Court and District Court.
- Reviews investigative reports and witness statements referred to the office from law enforcement officers.
- Exercises judgment in evaluating the strength of cases referred by law enforcement to determine what if any charges should be filed or whether to decline prosecution. Files criminal charges.
- Represents the County in various courtroom proceedings, including jury trials, bench trials, initial appearances, arraignments, omnibus hearings, motions hearings, summary judgment hearings, sentencing hearings, and other pre and post-trial hearings.
- Interviews and prepares witnesses, including victims of criminal offenses. Keeps victims updated on status of criminal prosecution.
- Conducts legal research and applies facts of individual cases to the laws, court decisions, statutes, ordinances, and other legal authorities to prepare opinions, briefs, and appeals.
- Represent the people of Montana before judges and juries. Manages all aspects of trial preparation beginning with case evaluation and charging decisions to understanding discovery obligations and drafting of jury instructions.
- Negotiates plea agreements with defense counsel and unrepresented defendants in a fair and unbiased manner.
- Assists law enforcement officers with search warrant applications and requests for investigative subpoenas.
- Prepares and prosecutes civil cases involving child abuse and neglect.
- Represents the State of Montana in Involuntary Commitment cases.
- Attends meetings with legal personnel, law enforcement personnel, and elected officials.
- Provides legal advice to the County Commissioners and other elected officials, department heads, managers, and other county staff after researching all relevant federal and state administrative, statutory, regulatory, and constitutional requirements and restrictions in order to make recommendations that enable county personnel to carry out their agency's powers, duties, functions, and obligations with a high degree of competence to the citizens of Prairie County.

Physical Demands and Working Conditions: The demands and conditions described here are representative of those the employee must meet to perform the essential functions of the job.

- Intermittent periods of standing, sitting, and walking.
- Required to reach with hands or arms, stoop, kneel, crouch, and some light occasional lifting in the file storage area for research purposes.
- Occasionally required to climb or balance.
- Occasionally required to lift up to 50 pounds.
- Working on a computer and communicating with others.
- Clarity of speech and hearing which permits the employee to communicate well with others.
- Work in an office and court facility environment with a moderate noise level; subject to frequent interruptions.

Minium Requirements

Must meet: **Montana Code Annotated (MCA) 7-4-2701**

- Must be admitted to practice law by the **Supreme Court of the State of Montana** and be a member in good standing with the State Bar of Montana.
- Must have been a resident of the state of Montana for the previous 2 years.
- Must be a US Citizen.
- Prefer 4 years of experience

Knowledge, Skills, and Abilities:

- Considerable knowledge of the concepts and theories of the legal profession and professional rules of responsibility, legal research and writing, trial procedure and technique, negotiating settlements and agreements, and proficiency in the communication of the English language, both in writing and orally.
- Considerable knowledge of laws of criminal procedure, rules of evidence, state criminal code, and state and federal case law.
- Considerable knowledge of jury and non-jury trial procedures.
- Basic knowledge of various civil areas of the law.
- Skill in the use of a personal computer (word-processing) and case management software.
- Ability to research, analyze and apply legal principles, facts, evidence, and precedent to legal problems; prepare, present and conduct cases of law in court; and present statements of law, fact, and argument clearly and logically in written and oral form.
- Ability to establish and maintain effective working relationships with diverse individuals and groups.
- Ability to achieve acceptable results in adverse and stressful situations.