

MUSKEGON COUNTY, MICHIGAN

CLASS TITLE ATTORNEY MAGISTRATE

Salary Range: \$60,032 - \$75,968 Annually

DISTINGUISHING FEATURES OF THE CLASS

Appointed by the Chief Judge of the 60th Judicial District Court, the Attorney Magistrate is under the direct supervision of Senior Attorney Magistrate. The Attorney Magistrate serves in a quasi-judicial capacity and is responsible for conducting various hearings in accordance with the Court's statutory purpose, requiring a high degree of independent judgment and knowledge of Michigan statutory and case law. Hearings include those associated with civil infractions, misdemeanors, and small claims cases, determining probable cause, authorizing warrants (24/7), conducting arraignments and performing marriages. The Attorney Magistrate prepares recommendations for the Judges and Court Administrator and/or his/her designee after conducting legal research regarding legal matters impacting the Court and advises Judges and court staff. The Attorney Magistrate may also be required to perform any or all duties of the 60th District Court as assigned.

SUPERVISION RECEIVED

In collaboration with the Senior Attorney Magistrate, the Attorney Magistrate, under the direction of the Chief Judge or his/her designee performs duties on an independent basis and in compliance with established policies and procedures of the 60th District Court.

TYPICAL EXAMPLES OF WORK PERFORMED

(The following examples are intended to be descriptive but not restrictive.)

1. Preside over informal hearings involving all traffic, state and municipal civil infraction matters, as well as local and county ordinance violations. Explain the law and procedures to parties, hear testimony, examine witnesses under oath, make findings of fact and conclusions of law, and assess appropriate sanctions upon findings of responsibility. Prepare all paperwork necessary for disposition;
2. Preside over small claims hearings involving civil matters, explain the law and procedures to parties, hear testimony, examine witnesses under oath, make findings of fact and conclusions of law, and determine appropriate damages, if any. Prepare appropriate judgments for damages and money owed;
3. Conduct arraignments in felony and misdemeanor matters, set bond/bail amounts as well as type and conditions of bond/bail and schedule court dates as appropriate;
4. Accept and examine affidavits for search/arrest warrants from law enforcement officers, make probable cause determinations, and when appropriate issue such warrants. Serve, on a rotating basis, in an on-call status 365 days per year, 24 hours per day, for issuance of search/arrest warrants. Maintain search/arrest warrant records for the 60th Judicial District Court as required by law;
5. Review and accept admissions of responsibility and admissions with explanations in civil

infraction matters, consider defendants' verbal or written explanations, and determine appropriate dispositions for cases, including assessing fines and other sanctions;

6. Conduct pre-trial hearings in criminal and civil actions; obtaining trial, sentence or second pre-trial dates from the assignment clerk for continued cases;
7. Arrange for defendants to appear before a judge for plea and sentencing at the time of pre-trial, accept change of pleas to guilty in certain misdemeanor cases as authorized by the Chief Judge, assess fines and costs according to the fine schedule and complete appropriate pre-trial disposition paperwork according to court procedure;
8. Accept pleas and sentence defendants based on seriousness of offense, defendant's record, and other appropriate factors for misdemeanors within a Magistrate's jurisdiction. Prepare appropriate disposition and judgments of sentence as necessary;
9. Keep current on all laws and legislation affecting the Court and law enforcement and recommend to the Chief Judge and Court Administrator proper legal procedures relating to same. Perform legal research and law library management, including reviewing and updating changes to county and municipal ordinances;
10. Advise and assist Judges, Court Administrator, Probation Officers and clerical staff. Also answer questions from law enforcement personnel regarding various legal issues;
11. Recommend to the Judges the issuance of orders to show cause or bench warrants for individuals who fail to appear for court proceedings;
12. Conduct pre-show cause hearings for individuals who have failed to pay court ordered fines, costs and probation oversight fees, and grant extensions for time to pay where circumstances dictate;
13. Maintain appropriate working relationships with all of the court's divisions, Judges, Probation Officers, local police agencies, social service agencies, schools and others in the community. Represent the court in its dealings with other governmental and private agencies and interact with organizations, associations and community groups to explain the purpose, role and procedures of the court;
14. Assist in developing internal policies, procedures, rules, regulations, goals and objectives as they relate to the court's matters, assist in implementing new statutes, rules, and procedures as dictated by the Legislature, Appellate Courts, Court Rules and Rules of Evidence in accordance with the decisions of the Supreme Court, and/or the State Court Administrative Office;
15. Assist in reviewing or developing practices and procedures in accordance with local and state court policies as required;
16. Perform civil marriage ceremonies;
17. Operate equipment such as: Personal Computers, calculators, fax machines, printers, copiers, telephones; and
18. Other duties as assigned by the Judges or Court Administrator.

MINIMAL REQUIRED EXPERIENCE AND KNOWLEDGE

- Working knowledge of Michigan Compiled Laws, criminal and civil codes, motor vehicle code, and landlord/tenant ordinances and statutes;
- Working knowledge of the Michigan Court Rules, Michigan Rules of Evidence, Michigan case law, and trial court practice and procedures;
- Working knowledge of professional standards of legal practice and legal ethics;
- Working knowledge of legal research and reference sources;
- Working knowledge of district/municipal court proceedings;
- At least 3 or more years experience in the practice of law.

REQUIRED CERTIFICATES, LICENSES , REGISTRATIONS

- Possess a valid Michigan driver's license;
- Be a graduate of an accredited law school;
- Possess a license to practice law in the state of Michigan;
- Be a member in good standing of the Michigan Bar Association;
- Be a resident of and a registered voter in Muskegon County, Michigan;
- Become an active member of the Michigan Association of District Court Magistrates;
- Pass a criminal background and drug test;
- Successfully complete the Michigan Judicial Institute/State Court Administrative Office Magistrate training program;
- Successfully complete the Traffic Law Adjudication and Sanctions training course offered by the State Court Administrative Office;
- File a performance bond in the amount of \$50,000 with the County of Muskegon and Chief Judge of the 60th District Court.

REQUIRED SKILLS AND ABILITIES

- Be able to understand and follow oral and written instructions;
- Be able to work independently and to set priorities to meet deadlines;
- Be able to work well in a team environment;
- Possess good organizational, filing, verbal and writing skills;
- Possess strong public speaking skills;
- Have basic knowledge of personal computers, online legal resources, and office software applications (e.g. Microsoft PowerPoint, Access, Excel, Word, Outlook);
- Possess the ability to use sound judgment within established procedural guidelines;
- Be able to interact objectively and communicate effectively with litigants from diverse socio-economic backgrounds and with widely divergent levels of education and communication ability.
- Be capable of performing the work outlined in this posting.

PHYSICAL ACTIVITIES / ENVIRONMENTAL CONDITIONS

An employee in this class performs generally sedentary work in an office setting with activity requiring the occasional lifting of objects weighing thirty-five (35) pounds or less. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential duties.

CAREER OPPORTUNITIES

The Chief Judge has discretion to consider promotion of the Attorney Magistrate to Senior Attorney Magistrate.