



New Mexico State Personnel Office

2600 Cerrillos Road
Santa Fe, New Mexico 87505

Manager Classification Guidelines

GENERAL MANAGER I – PUBLIC DEFENDER

<u>Manager Level</u>	<u>Class Code</u>	<u>Pay Band</u>	<u>Alt Pay Band*</u>
General Manager I – Public Defender	X61011	90	

**In accordance with SPB Rule 1.7.4.10 NMAC, the assignment to alternative pay bands shall be reviewed annually to determine their appropriateness.*

Purpose of Manager Position

To direct and supervise a unit or an office of Public Defender Attorneys in providing professional level services representing juvenile and adult indigent clients, handle highly complex appeals or serve as lead counsel for death penalty trials or appeals and other highly complex litigation cases.

Nature of Work

The Public Defender manager at this level serves as a district defender or division director who manages and trains a unit of Public Defender Attorneys that represent and afford clients due process in Juvenile, Magistrate, Metropolitan, District courts, Court of Appeals and Supreme Court of NM in criminal cases. They meet with clients, file and argue motions, investigate cases, interview witnesses, proceed to trial, and file appeals if necessary. New Mexico Public Defenders strive to holistically represent clients and address socio-economic issues that affect a clients' future and reduce recidivism rates. They research the state and federal Constitution, N.M. statutes, Supreme Court and Court of Appeals decisions. They file motions and summarize cases to judges and present the facts to juries. They prepare legal briefs and opinions, and file appeals in state courts. They will analyze the probable outcomes of cases, using knowledge derived from investigation and caselaw to determine whether a client should enter into a plea or go to trial. The appellate division listens to the record and determines if errors have been made by the lower courts based on their knowledge of the law. Lastly, they operate as liaison among the different entities in the criminal justice system.

Distinguishing Characteristics

Note: The omission of specific statements does not preclude management from assigning other duties which are reasonably within the scope of the duties.

- The Public Defender manager is responsible for managing, training, directing, coordinating, and supervising a unit of Public Defender attorneys or for providing advice and training direction to less-experienced attorneys while acting as lead counsel of the highest complexity in first through fourth degree felonies, misdemeanor cases, juvenile cases, death penalty cases, trials, or appeals.
- Directs, coordinates and supervises a unit of public defenders to include planning, prioritizing and assigning cases.
- Trains, coordinates, and advises less-experienced public defender attorneys to include co-counseling.

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- Conducts legal research/analysis of laws, precedents, legal issues, procedural rules, in preparation of cases.
- Reviews and investigates client cases to determine legal position and propose legal strategy.
- Prepares for litigation and appeal through initiation of legal documents, review of case information, obtaining evidence, conducting interviews, preparation of witnesses to testify.
- Researches changes in laws, legislation, rules, court decisions, case precedents, to determine/anticipate legal problems and propose resolutions.
- Drafts, reviews, proposes and prepares reports, memoranda in opposition, briefs, legal documents, motions, correspondence, appeals, for clients.
- Counsels and advises clients on cases such as pleadings, arraignments, trials, appeals.
- Represents the client in legal matters, such as, motions, hearings and litigation.
- Explains, interprets and keeps client informed on changes in law, court decisions, legal issues and problems.
- Attends seminars, training classes and reviews current professional literature to maintain and develop professional legal skill and knowledge.
- Conducts plea bargaining with District Attorneys and other parties to establish agreements to resolve cases.
- Follows through on case by ensuring client release.
- Performs related work as required.

General Characteristics

Any one position may not include all General Characteristics listed nor is this inclusive of all General Characteristics possible for the General Manager I.

Scope and complexity of responsibility: *Comprehensive*. Assigned objectives are broadly defined by statute, grant, and agency mission. Requires defining objectives, scope, and policies. Integrates the activities between divisions and high-level areas within state agencies. Develops goals, objectives and organizational plans for mission accomplishment.

Types of employees managed: General Manager I is assigned *comprehensive and diverse* staffing resources of mid-level managers and senior professionals.

Financial accountability: Objectives managed has an *extensive* relationship to the mission of the total organization.

Strategic planning/decision challenge: Managing objectives generally *requires exhibiting a wide mental grasp of broad-ranging concepts and circumstances*. Problem solving requires analysis and evaluation of the facts, issues, and circumstances. Alternative solutions and the relative benefits/consequences must be considered when making decisions. Develops goals for strategic plan within area of responsibility. Consults with community leaders and legislative bodies.

Manager Concept

The General Manager I administers resources and operational activities to ensure clients are effectively represented in all criminal proceedings and, when possible, ensures clients directed to services such as help with substance abuse issues, alcohol issues and mental health issues, etc.

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Determines objective resource needs and allocates them within financial parameters. The organizational unit (bureau or division) managed represents ***a diverse part of the department's total operations.***

Minimum Qualifications

Current license as an Attorney issued by the Supreme Court of New Mexico or eligible for a limited license issued by the Supreme Court and six (6) years of experience as a practicing attorney.

Statutory Requirements: Current license as an Attorney issued by the Supreme Court of New Mexico or eligible for limited license issued by the Supreme Court of NM. Copy of current license must be presented at time of hire.

Conditions of Employment: Working Conditions for individual positions in this Manager Category Level will vary based on each *agency's utilization, essential functions,* and the *recruitment needs* at the time a vacancy is posted.

Default FLSA Status: Exempt. FLSA status may be determined to be different at the agency level based on the agency's utilization of the position.

Bargaining Unit: This position may be covered by a collective bargaining agreement and all terms/conditions of that agreement apply and must be adhered to.

Developed: 4/27/2012 **Revised:**

Note: Classification description subject to change. Please refer to the SPO website www.spo.state.nm.us to ensure this represents the most current copy of the description.