

NEW MEXICO JUDICIAL BRANCH

Attorney - Assistant (At-Will or Classified)

This job description is ILLUSTRATIVE ONLY and is not a comprehensive listing of all functions performed.

SUMMARY

Under general direction and review, as assigned by a Judge or a supervising attorney, review cases, perform legal research, evaluation, analysis and writing and make recommendations concerning the work of the Court or Judicial Entity.

QUALIFICATIONS

Education: Must be a graduate of a law school meeting the standards of accreditation of the American Bar Association; possess and maintain a license to practice law in the State of New Mexico.

Education Substitution: None.

Experience: One (1) year of experience in the practice of applicable law or as a law clerk.

Experience Substitution: None.

Other: Completion of a post offer background check may be required.

Knowledge: Broad knowledge of United States and New Mexico constitutions, federal law, New Mexico case law, statutes, rules, policies and procedures; Code of Judicial Conduct; Rules of Professional Conduct; court jurisdiction and operations; manual and computerized legal research; principles of legal analysis and writing, legal proofreading and editing, standard English usage and grammar; and computer software applications (e.g., legal research, word processing, databases, court case management system, e-mail and internet).

Skill & Ability: **Demonstrated skill in** communicating effectively both orally and in writing with diverse individuals and groups; assimilating and interpreting information of legal significance; identifying legal issues; performing legal research; discerning the content and relative importance of cases, statutes, and other sources of law; applying law to complex and novel scenarios; maintaining confidentiality and using discretion when dealing with sensitive information; maintaining professional demeanor and composure; providing information to members of the bar and public in a courteous manner without giving legal advice; drafting orders, recommendations, and opinions which address legal, policy and factual issues clearly, efficiently and effectively; organizing and establishing priorities and managing time and resources effectively on multiple projects; working well both independently and collaboratively; using initiative and independent judgment with limited supervision; receiving and following directions; applying relevant policies and procedures; and using computers and computer software applications including word processing, databases, court case management system, e-mail and the internet. **Ability to** establish and maintain cooperative working relationships; display teamwork, diligence, resourcefulness, and adaptability while working in an environment subject to frequently changing priorities, high stress, and exposure to conflicting demands; meet objective productivity and work-quality requirements; research, comprehend, explain, and resolve complex issues constructively; approach problems creatively; determine when to seek assistance and collaborate with other staff; persuade others using tact and diplomacy; accept constructive

criticism and guidance; learn quickly and retain information; prepare and deliver presentations; maintain accurate files and records; and plan work schedule.

EXAMPLES OF WORK PERFORMED

Supreme Court - Perform legal research, review records and transcripts, evaluate the merits of legal arguments, analyze and assess the impact of applicable law; assist the Supreme Court with the exercise of its constitutional rulemaking authority; provide staff support for the Supreme Court's rulemaking committees, boards, and commissions; draft recommendations and proposed dispositions for assigned cases; assist in screening pro se petitions for jurisdictional and procedural prerequisites; respond on behalf of the court, with supervisor's approval, to correspondence, e-mails and telephone calls from pro se litigants, inmates, attorneys, and members of the public.

Court of Appeals - Assist the Court to resolve pending appeals, with supervisor's approval by: reviewing motions, docketing statements and briefs; identifying issues; reviewing records and transcripts; performing legal research; identifying, analyzing and assessing the impact of applicable law; evaluating the merits of legal issues and arguments; drafting calendar recommendations and notices; and drafting orders and opinions for supervisor's approval.

On Records Appeals - Assist in the review and disposition of Driving While Intoxicated and Domestic Violence cases on appeal from Metropolitan Court and review cases on appeal from Motor Vehicle Department license revocation hearings; perform legal research; draft memorandum opinions, judgements, orders and decisions for supervisors review; analyze briefs, records and legal authorities cited; assist in providing criminal judges with information and recent opinions to ensure compliance with current law. **May** assist with or make presentations.

Court/Judicial Entity - Assist in recommending appropriate courses of action and disposition; draft memoranda of law, proposed opinions and orders for administrative appeals of record and de novo appeals, including addressing complex areas of the law such as water, oil and gas, taxation, employment and zoning; draft proposed orders addressing petitions for extraordinary writs and motions in civil and criminal matters; review, analyze and edit findings of fact and conclusions of law; provide assistance to evaluate court processes and formulate, recommend and implement policies and procedures to ensure uniform compliance with statutory and constitutional provisions, case law and Supreme Court Rules; evaluate proposed rule changes and draft comments; attend trials and hearings; meet with and provide support to court administration and staff on legal matters as they arise in the course of court operations; respond to correspondence and requests for information from pro se litigants, inmates, attorneys and the public; draft and monitor: leases, contracts, proposals, professional services agreements, price agreements, memoranda of understanding, letter agreements, software license agreements, and intergovernmental agreements for the Court; assist management on personnel issues and ensure compliance with applicable employment laws, rules, regulations, Court and AOC policies and procedure; assist with Requests for Proposals (RFPs) and Invitations to Bid (ITBs); perform legal research and analysis; respond to specific legal questions and provide legal advice to court staff. **May** assist in tracking, reviewing, analyzing and advising the Court on all proposed legislation.

Water - Assist in developing judicial procedures and documentation for conducting stream adjudication; perform legal research; analyze briefs, subfile filings, records and legal authorities cited; provide legal assistance to judges and courts related to stream adjudication cases; research proposed legislation, provide testimony and assist in developing strategies for passage of legislation; assist in addressing requests from legislature and other interested

parties; and assist in preparing information for legislators and other governmental agencies. **May** - assist in monitoring and analyzing the impact of proposed changes to laws, rules and procedures; and prepare and present water law educational seminars.

Alternate Dispute Resolution - Assist in assessing the appropriateness of mediation or a dispute resolution process for a case; conduct a mediation or a dispute resolution process, subject to the applicable standards of confidentiality; lead joint discussions with all parties, and private discussions with each party, to identify issues, contentions, and interests to develop a constructive working environment and to generate discussion of options for resolution; identify and facilitate among the parties analysis of procedural and substantive issues; oversee and encourage negotiations extending beyond the initial conference through subsequent conversations or additional conferences; facilitate settlement until an agreement is reached or until settlement does not appear to be possible.

Program - Assist with court mandated program(s); analyze court administrative operations, polices and procedures to ensure procedural consistency and compliance with established law and Supreme Court Rule(s); provide timely delivery of service and meet project deadlines; communicate, support and develop working relationships with associated parties; prepare curriculum or workshop materials for training and educational programs; develop, revise and implement forms, policies and procedure's manuals; assist other courts in the development of such programs; develop and prepare budget(s) and budget expenditures; administer grant projects/program(s); ensure compliance with statutory deadlines and budgetary limitations; research, prepare and complete applications to secure grants; and complete required grant funds evaluation reporting and requests; monitor program(s) database (data development, collection, entry and generation of reports); create, evaluate, maintain and analyze statistics; and draft and publish periodic or annual reports. **May** assist design or update of program website.

WORK ENVIRONMENT AND PHYSICAL DEMANDS

The following functions are representative of the work environment and physical demands an employee may expect to encounter in performing tasks assigned to this job.

Work requires the extensive use of computers and is performed in an office or court setting. The employee is regularly required to sit for long periods of time, talk, hear, read typed and/or handwritten material; perform repetitious hand, arm and finger motions as well as use manual/finger dexterity. May also be required to stand, walk, kneel/stoop, move, lift, pull and carry up to twenty-five pounds; travel (valid driver's license required), work overtime and/or flexible hours, weekends, and holidays; and may be exposed to fluctuating building temperatures, hostile or violent situations and contagious health conditions. The employee is expected to be punctual and to adhere to a work schedule.

Dev: 3/9/98 - Assistant Staff Attorney
Rev: 6/6/08 - Attorney - Assistant
Rev: 10/4/13