

STILLWATER COUNTY
POSITION DESCRIPTION

MAY 2015

POSITION: Justice Court Clerk

DEPARTMENT: Justice Court

ACCOUNTABLE TO: Justice of the Peace

SUMMARY OF WORK: Manages the office operations and activities of the Justice Court in the performance of a wide variety of clerical, secretarial, legal, and administrative support work within well-defined legal procedures in the preparation and maintenance of court records.

JOB CHARACTERISTICS:

Nature of Work: This position performs highly responsible clerical and managerial work that requires attention to accuracy, detail, and timeliness. Position must adhere to confidentiality of information and work within the established procedures and practices set by the Montana Supreme Court, Montana State Law and the Justice Court Judge. Assists with trials as Bailiff/Clerk and performs related duties as required, which may require work after hours. Position occasionally has to travel for conferences, seminars, and training. There is the possibility of physical injuries or verbal abuse from aggressive or hostile defendants/clients.

Personal Contacts: Constant contact with the general public, law enforcement officers, other clerks, city and county officials, attorneys, and other Judges through direct contact at the office, in the courtroom, by telephone, and by correspondence. Coordinate work duties with the Judge, clerks, attorneys, and law enforcement officials through direct contact.

Supervision Received: The work is performed in accordance with established procedures and systems and under the direction and supervision of the Justice Court Judge but must exercise independent judgment and initiative in order to ensure the civil rights of the accused are not violated.

Supervision Exercised: Daily management of the office to include; overseeing of the court calendar, independently scheduling Vision Net hearings/appearances, supervision of substitute justice court clerks.

Essential Functions: This position requires: Clarity of speech and hearing, with or without reasonable accommodation, which permits the employee to communicate well with other employees and the public both in person and over the telephone. Sufficient vision, with or without correction, which permits the employee to produce and review a

wide variety of written materials and to make and retrieve computer data and information entries. Sufficient manual dexterity, with or without reasonable accommodation, which permits the employee to operate a computer keyboard and to make handwritten notations and to move files as needed. Sufficient personal mobility, with or without reasonable accommodation, which permits the employee to serve the general public at the counter in the Justice Court's office and in the Courtroom and to access files in the office. Must be able to lift up to 50 pounds occasionally.

AREAS OF JOB ACCOUNTABILITY AND PERFORMANCE:

Plans, organizes, directs, supervises, coordinates, and performs the clerical, secretarial and bookkeeping operations and activities of the Justice Court. This includes, but is not limited to; citations, criminal cases, civil cases, and small claims cases, in accordance to guidelines established by the Montana Supreme Court and Montana State Law. Maintains and updates court records and fills out dispositions for citations, formal criminal charges and documents all activity for civil and small claims cases, as required by the Montana Supreme Court.

Citations: Stillwater County Sheriff
 Montana Highway Patrol
 Motor Carrier Services (Montana Department of Transportation)
 Montana Fish, Wildlife, and Parks

Criminal Cases: Filed by Stillwater County Attorney's Office

Civil Cases: Credit Agency Debt
 Contract
 Landlord/Tenant
 Orders of Protection
 Other (Miscellaneous)

Initial Appearance on Felony Charges
Courtesy Arraignment on Out of Jurisdiction Warrants

Processes and maintains all financial records for the Justice Court in accordance with Montana Supreme Court policies and procedures:

Accounts for cash received from the following sources:

Payments for traffic citations – entered into the system, and subsequently disbursed appropriately to include court mandated surcharges to agencies as required by statute.

Payments for Criminal cases - entered into the system, and subsequently disbursed appropriately to include court mandated surcharges to agencies as required by statute.

Restitution from traffic citations and criminal cases, and disbursed to the victims in a timely fashion.

Forfeiture of bond – manage the process of notification and final forfeiture of bond in criminal and citation issued cases.
Civil filing fees.

Daily and weekly cash balance of all monies received. This includes monies received by mail, direct deposit, payment in person, and through the Montana Highway Patrol Roadside Payment program. Makes deposits to Trust account, and maintains financial records and transactions of time-pay, collection of fines, forfeitures, and restitutions monthly reporting with disbursement of funds to the Stillwater County Treasurer, with appropriate earmarks for court mandated surcharges.

Update and maintain records when credit for time served or community service is applied towards fines.

Submit unclaimed property to the Montana Department of Revenue.

Submit liens against tax filings for fines with the Department of Revenue.

Reporting of monthly cash, criminal, and civil activity to Stillwater County Commissioners, and Justice of the Peace. Reconciliation of all trust account funds. Participates in the yearly audit as necessary.

Requisitions supplies and equipment within the budget categories for Justice Court. Make appropriate contacts for estimates on larger projects requiring approval by the Commissioners.

Ensures that all relevant State & Federal laws and court rules and regulations are followed in processing documents. Maintains familiarity with the Montana Statutes as they relate to all aspect of court.

Criminal/Citation Cases:

Timely filing of Notices, Motions, and Orders

Compliance paperwork from outside agencies

Retention of Records - This will include the updated scanning procedures for permanent files. (Per Supreme Court Retention schedule)

MANS forms (reported to DOJ, and updated as case progresses.)

Reporting to LE agencies for Evidence Destruction

Reporting to Motor Vehicles Division (Records and Driver Control)

Updating Bond Schedules per legislative changes

Record Requests:

Government Agencies (Case file requests, DUI look back requests, stackable offenses, probation/parole requests)

Civil Requests:

Background checks – criminal, civil, and credit reporting agency.

Maintains and updates the court schedule to provide appropriate time for court hearings,

such as:

Trial by Jury

Trial by Judge

Trials require special attention to Speedy Trial dates, and must make sure that if necessary; a waiver of speedy trial is obtained and documented prior to rescheduling a case.

Revocation Hearings

Motions Hearings

Omnibus Hearings

Changes of Plea

Additionally, the court clerk must ensure that all documents are organized and filed appropriately for the necessary hearing. A court calendar is maintained and updated to prevent double booking a time, and must work with the District Court to ensure that the courtroom is available.

Arranges and schedules initial appearances via Vision Net to ensure that citizens civil rights are not violated.

Arranges for jury selection each court calendar year, supervises the selection for each jury and arranges for orientation of jurors.

Jury Pool Selection: Approximately 300 questionnaires are prepared, delivered, and entered into the system. Each return is accounted for; requests for excusal are entered, return correspondence with excusal or denial for each request. Track down current addresses for returned mail; attempt to locate any returned mail. Maintain the database, and report temporary and permanent excusals, duplication of names, and death of juror to the Supreme Court and Clerk and Recorder Office to update juror selection databases.

During trial: a panel is pulled, notification is made by mail. Claims are filled out to reimburse each potential juror for mileage. Any juror selected to serve on a jury is also reimbursed for service. Witnesses may also be reimbursed for mileage and costs.

Acts as Bailiff/Clerk for all court proceedings. Must be familiar with case law as it pertains to Bailiffs.

Issues processes and notices allowed by law. Prepares documents, orders and correspondence for the court as may be required by law or the Judge. Reviews filings and notices for timeliness and compliance with deadlines.

Maintains and updates all Court generated forms both within the Full Court computer system, and those used outside the system for general correspondence.

Public Interaction: (Civil Cases)

Assists the public with small claim and civil actions concerning procedures, *without giving*

legal advice.

Assists petitioners in preparation and filing of Temporary Restraining Orders, coordinating contact with Victim Advocate, petitioner and Judge. Makes contact with and provides appropriate documentation to proper law enforcement authorities for the purpose of serving said Order of Protection documents.

Provides appropriate information and responses to: Judges, auditors, attorneys, news media representatives and the general public relating to office and court processes and procedures.

Acts as secretary for the Justice Court Judge when requested, preparing correspondence, reports and other documents as requested, maintaining calendars and screening telephone calls and visitors.

Maintains office personnel records, including payroll, vacation schedules and sick leave usage.

Participates as assigned in a continuing program of office modernization, including the establishment, maintenance and updating of computer systems for improved office operations as needed and as required by the Montana Supreme Court.

Trains, schedules, prioritize and evaluate the work of substitute clerks.

Modifies existing and establishes new work policies and procedures as necessary and as required by revised or new statutory requirements, court policies and rules.

Confers with the Justice Court Judge to determine administrative and technical support needs and services for the Justice Court.

Attends twice yearly conferences for updated training, as well as any additional training opportunities that become available.

Works with Justice Court Judge in planning and preparing the annual court budget and monitors monthly expenditures to ensure adherence to that budget.

JOB REQUIREMENTS:

Knowledge: This position requires a comprehensive knowledge of modern office terminology, procedures and equipment; comprehensive knowledge of the Montana judicial system and the functions, procedures, policies and organization of the Justice Court; comprehensive knowledge of court orders and sentencing requirements and related court processes and procedures; comprehensive knowledge of business arithmetic,

statistics and English composition and spelling; thorough knowledge of criminal and civil procedure; thorough knowledge of the methods and procedures of jury selection in the Justice Court, as per Montana State Law; a thorough knowledge of office filing systems and procedures; thorough knowledge of standard bookkeeping principles and practices; a thorough knowledge of Full Court software as required by the Montana Supreme Court.

Skills: This position requires considerable skill in the use of computers, printers, copiers, scanners, fax machines and general office machines. Proficiency in typing, human relations, and time management.

Abilities: This position requires the ability to: lead plaintiffs and defendants through the Justice Court process without attempting to provide legal advice; train, assign, prioritize and supervise the work of others; communicate effectively orally and in writing; follow verbal and written instructions and orders; establish and maintain complex clerical records and files and to prepare written reports from such information; organize and coordinate a wide variety of materials, human schedules and supportive actions; handle a wide variety of tasks concurrently while under the pressure of fixed time deadlines; handle difficult situations and people; perform work with speed, accuracy and attention to detail; maintain effectiveness under stressful conditions; use logical and creative thought processes to develop solutions according to written specifications and/or oral instructions; quickly learn and put to use new skills and knowledge brought about by rapidly changing information and/or technology in compliance with Montana State Law; ingenuity and inventiveness in the performance of assigned tasks; and the ability to read and understand Montana State Laws.

EDUCATION AND EXPERIENCE:

The above knowledge, skills, and abilities are typically acquired through a combination of education and experience equivalent to:

High School Diploma or GED equivalent with technical or business college courses in bookkeeping, accounting, and computer fields and/or equivalent in life experiences.

Must have experience in the preparation, distribution, and maintenance of legal records and related support documents or any equivalent combination of experience and training which provides the knowledge skills and abilities required to perform the work.

JOB PERFORMANCE STANDARDS:

Evaluation of this position will be based primarily upon performance of the preceding requirements and duties. Examples of job performance criteria include, but are not limited to, the following:

Observes work hours.

Demonstrates punctuality.

Accurately accounts for and distributes monies in accord with legal requirements.

Adheres to standards of strict confidentiality.

Maintains accurate court records in accord with legal requirements.

Prepares and submits accurate and timely reports.

Deals tactfully and courteously with the public.

Assists in trial and hearings.

Establishes and maintains effective working relationships with fellow employees, supervisor, court officials, law enforcement, attorneys, and the general public.