

## POSITION DESCRIPTION

CLASSIFICATION TITLE: **PART TIME MAGISTRATE**

FLSA STATUS	Exempt	EMPLOYMENT STATUS	Part Time
CIVIL SERVICE STATUS	Unclassified	WORK SCHEDULE	20-24 hours/week
REPORTS TO	Judge and Court Administrator		

### **FUNCTION:**

The position of Part-Time Magistrate in the Fairborn Municipal Court is to assist the Judge in maintaining a current court docket and expediting cases that come before the Court. The Magistrate is a member of the Judge's personal staff who facilitates operations throughout the Court. The Magistrate must represent the Judge in a positive and professional manner at all times, to all persons who access the court and must follow the policies established by the appointing Judge as well as any and all policies and local rules established by the Fairborn Municipal Court. The Magistrate reports directly to the Judge and Court Administrator.

### **MAJOR DUTIES AND EXPECTATIONS:**

*To perform this job successfully, an individual must be able to satisfactorily perform each essential duty listed below:*

The position requires the ability to research case law in applicable cases and to interpret the statute and rules as they pertain to cases referred by the appointing Judge to review. The appointing Judge may require written findings from the research or an oral report for expediency.

The Magistrate will remain current regarding changes in statutory and case law. The Magistrate will take responsibility for tracking motions and related briefs, to prepare draft opinions and orders and to assist the court in timely addressing motions filed with the court.

As Magistrate the appointing Judge by **Order of Reference** will summarize the specific duties to be performed by the Magistrate as identified in Rule 53 of the Ohio Rules of Civil Procedure, Rule 19 of the Ohio Rules of Criminal Procedure, and Rule 14 of The Ohio Rules of Traffic Procedure which may include and are not limited to the following matters:

- Traffic and criminal arraignments, including advising defendants of their rights and potential penalties; taking guilty, no contest, and not guilty pleas; and recommending appropriate fines, costs, and fees.
- Bail/Bond determinations
- Probable cause determinations
- Proceedings for the issuance of Temporary Protection Orders
- Judgment Debtor Examinations
- Overseeing all civil cases. This includes civil pretrials, status reports, trials not tried to a jury, jury trials with the written consent of all parties.
- Evictions

- Small Claims Hearings
- Hearings on Damages
- Bond Forfeitures
- Criminal and Traffic minor misdemeanor trials
- Traffic Intervention program hearings
- Reviewing driving privilege requests
- License Forfeiture review
- Garnishment and attachment hearings
- Decision writing
- ALS hearings
- Other miscellaneous civil matters.

The Magistrate must create an open, orderly, and professional work area and maintain forms, files and records in an organized manner. Maintain confidentiality regarding cases pending in Fairborn Municipal Court and refrain from discussion of any court related matters by any means of communication including social media. Perform all other duties as deemed necessary by the Judge or approved by the bench.

*Important Qualities:*

- Confidentiality. Exercises discretion and sound judgment regarding the confidentiality of all non-public information encountered on the job. Reviews and maintains the confidentiality of non-public data including, but not limited to, non-public records and information contained in party files, personnel files, mediation files, LEADS/NCIC and conciliation files, and pending Court decisions/orders and other works in progress. In addition to confidential data, filings and other data are sensitive and may not be discussed or distributed pursuant to the Court's Code of Conduct.
- Attendance & Punctuality: Regularly and punctually reports for work on time.
- Honesty
- Leadership
- Speaking skills
- Initiative
- Enthusiasm
- Pleasant disposition
- Attention to detail
- Poise
- Dependability
- Thoroughness
- Ability to work under pressure
- Ability to get along with others
- Ability to work closely with others
- Ability to work independently
- Ability to follow rules strictly
- Perseverance
- Loyalty. Maintains strict loyalty and serves as a trusted confidant to the Judge. Exercises discretion and sound judgment regarding the Judge's political viability and image.

### **QUALIFICATIONS:**

Must possess a Law Degree with a minimum of five years of practice in civil and/or criminal law. Must be admitted to practice in the State of Ohio and be in good standing at the time of application for the position.

### **LICENSURE OR CERTIFICATION REQUIREMENTS**

Maintain required hours of continuing legal education every two years, with 10 of these hours must be Judicial College credits. File annual financial disclosure with The Supreme Court of Ohio.

### **KNOWLEDGE, ABILITIES AND SKILLS**

**Knowledge of:** Civil, criminal, and traffic statutes; rules of civil and trial procedure; rules of evidence; Ohio Rules of Professional Conduct; Judicial Canons; and laws regarding contempt and interpretation of agreements and previous decisions. Applicable procedures and practices of the General Division Trial Court--including familiarity with the Local Rules of Practice, the Court's personnel policies, proper courtroom etiquette, and basic computer and office equipment skills.

**Ability to:** Communicate with attorneys, the general public, employees and Court officials in an effective and courteous manner; work under pressure and maintain composure in dealing with the public; accept constructive criticism and direction; must be professional at all times and work cooperatively with all other departments within the Court and persons from other courts, agencies and providers; maintain regular attendance, proper dress and a positive attitude; treat litigants and counsel with respect and dignity. Must efficiently render and issue decisions in a timely manner.

**Skill in:** Communicating with staff and others, both orally and in written form, operating basic office machines, operations of Microsoft Office products such as Word, Outlook, Excel, and Henschen. Courteous telephone etiquette. Completing tasks timely and free from excessive and or recurring mistakes.

### **PHYSICAL DEMANDS**

Work may involve significant amount of standing, walking, sitting, talking, listening, stooping, crouching, and reaching with hands and arms. Ability to transfer up to 25 pounds. Ability to sit continuously at a computer terminal for periods up to three hours. Ability to reach into file drawers in standard four drawer file cabinets. Visual ability sufficient to effectively operate a copier, facsimile machine, and a computer terminal, and to read reports, correspondence and instructions. Hearing ability sufficient to converse with other individuals, both in person and by telephone. Speaking ability sufficient to communicate effectively with other individuals in person and by telephone.

This position description in no manner states or implies that these are the only duties and responsibilities to be performed by the position incumbent. The incumbent will be required to follow the instructions and perform the duties required by the incumbent's supervisor, appointing authority or designee.

My signature below signifies that I have reviewed and understand the contents of my position description. I am aware of the requirements of my position and will perform to the best of my ability the job duties and requirements specified in this position description.

**SPECIAL CONDITIONS**

A Magistrate, for the purposes of the Code of Judicial Conduct, is designated by the Municipal Court as a “Full-time Judge” as defined in Division (1) of the Application Section of the Code of Judicial Conduct adopted by the Supreme Court of Ohio and shall adhere to the provisions of the Code of Judicial Conduct that are applicable.

**CANDIDATES AND EMPLOYEES ARE SUBJECT TO BACKGROUND CHECKS**

**AT-WILL EMPLOYMENT.**

**THE PART TIME MAGISTRATE IS AN AT-WILL EMPLOYEE OF THIS COURT AND SERVES AT THE PLEASURE OF THE COURT**

\_\_\_\_\_  
(Employee Signature)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Employee Printed Name)

\_\_\_\_\_  
(Employer Signature)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Employer Printed Name)