



# DAVID P. FORNSHELL

WARREN COUNTY PROSECUTOR



## ASSISTANT PROSECUTOR Civil Division

### POSITION AVAILABLE

JOB CLASSIFICATION: ASSISTANT PROSECUTOR

DEPARTMENT: PROSECUTOR'S OFFICE

SALARY RANGE: COMMENSURATE WITH EXPERIENCE,  
PLUS BENEFITS

SCHEDULED HOURS: 40 HOURS PER WEEK  
Monday through Friday 8:00 am to 5:00 pm,  
and as needed

SEE ATTACHED CLASSIFICATION SPECIFICATION FOR MINIMUM  
QUALIFICATIONS AND ILLUSTRATIVE DUTIES OF THIS POSITION

POSTING PERIOD: THIS NOTICE IS BEING POSTED FOR A PERIOD  
OF TIME NOT LESS THAN SEVEN (7)  
CONSECUTIVE CALENDAR DAYS BEGINNING  
MAY 17, 2022

APPLICANTS SHOULD APPLY BY RESUME TO:

ATTENTION: Michelle Buck, Office Administrator  
michelle.buck@warrencountyprosecutor.com

This position is subject to a post-offer background check and drug test.

Applicants are required to apply for this position per the instructions outlined above. Resumes received in any manner other than directly from the applicant may not be considered.

Warren County is an equal opportunity employer

520 Justice Drive • Lebanon, Ohio 45036 • Phone: 513.695.1325 •  
Website: [www.warrencountyprosecutor.com](http://www.warrencountyprosecutor.com)

# POSITION DESCRIPTION

## Warren County Prosecutor

<b>CLASSIFICATION TITLE:</b>	Assistant Prosecutor
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<b>FLSA STATUS:</b>	Exempt	<b>EMPLOYMENT STATUS:</b>	Full-Time
<b>FLSA TYPE:</b>	Professional	<b>REPORTS TO:</b>	First Assistant (Civil)
<b>CIVIL SERVICE STATUS:</b>	Unclassified	<b>UNIT:</b>	Legal
<b>PROBATION:</b>	N/A	<b>WORK HOURS:</b>	8:00 am to 5:00 pm and as needed

### DISTINGUISHING JOB CHARACTERISTICS

Provides professional legal advice and representation in the prosecution of criminal, misdemeanor, delinquency, traffic, child abuse, neglect and dependency, and tax collections. Provides professional legal advice and representation to county officials and departments, townships, and libraries. An employee assigned to this position is a professional attorney, licensed to practice law in the state of Ohio. Assistant prosecutors may be assigned to legal specialties, but such assignment is not permanent and may be changed at the discretion of the Prosecuting Attorney.

### ESSENTIAL DUTIES AND RESPONSIBILITIES

***To perform this job successfully, an individual must be able to satisfactorily perform each essential duty listed below. Reasonable accommodations will be made for disabled persons, covered by the Americans with Disabilities Act, in accordance with the requirements of that Act.***

1. Prosecutes county and township building and zoning violations, and criminal and civil litigation. Provides legal counsel to county and township building and zoning departments.
2. Provides legal representation to county elected officials and departments including county commissioners, clerk of courts, engineer, sheriff, judges, and other boards, departments, agencies, and other statutory clients in litigation matters, real estate tax issues, bankruptcies, contracts, and general law.
3. Represents county treasurer on delinquent real estate, personal property, and manufactured home tax collection matters including preparation, filing, and litigation of complaints for collection of delinquent taxes. Provides legal advice to Warren County Board of Revision and represents the board at hearings, including representation before the Board of Tax Appeals. Represents county treasurer and auditor in foreclosure cases relating to real estate and taxation.

4. Represents statutory clients on legal issues including preparation and approval of contracts, prosecution and preparation of disciplinary actions, due process claims, liability and other legal matters. Provides legal representation on adult and child protective services.
5. Prosecutes felony, misdemeanor, delinquency, traffic, child abuse, neglect and dependency, and tax collection cases. Plans prosecution strategy, conducts and coordinates legal research, evaluates evidence and statements, interviews and prepares witnesses, victims, and others, requests police follow-up investigations as appropriate, reviews discovery and makes other preparations to prepare for trial. Participates in scheduling hearings and trials.
6. Evaluates crimes and evidence, and advises victims regarding the filing of charges and/or other related matters. Determines and files appropriate charges.
7. Makes court appearances to present and prosecute cases. Participates in jury selection, presents opening statements, examines and cross-examines witnesses, introduces exhibits, makes and responds to objections, and presents closing arguments.
8. Attends pretrial conferences and other hearings. Evaluates strengths and weaknesses of each case and makes recommendations to the court including pleas as charged, reduced pleas, proceed to trial, continuances, and other actions as needed.
9. Prepares and presents trainings to law enforcement, schools and other professionals, and the community.
10. Researches and writes appeal briefs, and makes oral arguments before the court of appeals and Ohio Supreme Court.
11. Follows up on criminal cases as necessary for post-conviction relief, motions for early releases, probation violations, and other motions.
12. Provides legal advice to police agencies regarding status of investigations, matters of search and seizure, probable cause, search warrants, arrests, appropriate criminal charges, and other criminal law issues. Participates in training sessions for law enforcement officers.
13. Meets with police officers and general public for purposes of approving criminal charges upon review of facts and law.
14. Maintains current professional working knowledge of legal issues, strategies, case and statutory law, and other related issues. Reads and analyzes cases, attends professional conferences, reviews new laws, and conducts other continuing legal research to keep up with evolving legal authority and issues.
15. Represents Prosecutor's Office in a positive manner to law enforcement, press, and general public.
16. Maintains regular and predictable attendance.

## **OTHER DUTIES AND RESPONSIBILITIES**

None.

## **SUPERVISION GIVEN AND RECEIVED**

Supervised by First Assistant (Civil).

## **EQUIPMENT OPERATED**

Telephone, fax machine, computer, recording equipment, audio visual equipment, other standard office equipment, cellular phone, and Matrix case management system.

## **CONTACT WITH OTHERS**

Clients, victims, witnesses, court representatives, judges, defendants, attorneys, law enforcement representatives, and general public.

## **CONFIDENTIAL DATA**

“Confidential Data” includes but is not limited to:

Matrix case management system information; grand jury witness information; grand jury testimony; grand jury voting information, yet-to-be filed and/or secret grand jury indictment information; personal information of victims; OHLEG data; LEADS Online data; NCIC reports; medical records; police investigatory information; confidential law enforcement investigatory information; children services investigatory information, inter-office confidential information; privileged information; work product; non-public information contained in personnel files and other files such as social security numbers, financial information, medical information, personal calendar information; records sealed by a court; information not yet disseminated to the public or otherwise part of the public record; other confidential case information; and any other information not generally available to the public that was obtained by virtue of the employee’s position as a member of the Prosecutor’s Office.

## **WORKING CONDITIONS**

The employee must negotiate, use, or work with or in the vicinity of personal protective equipment, eye and face protection, hand protection, the handling of material and supplies, human blood, or other potentially infectious materials, hazardous chemicals, and weapons. General Duty: Safe and Healthful Workplace: The employee has contact with violent or emotionally distraught persons.

## **USUAL PHYSICAL DEMANDS**

*The following physical demands are typically exhibited by position incumbents performing this job’s essential duties and responsibilities. These physical demands are not, and should not be construed to be job qualification standards, but are illustrated to help the employer, employee, and/or applicant identify tasks where*

***reasonable accommodations may need to be made when an otherwise qualified person is unable to perform the job's essential duties because of an ADA disability.***

While performing duties of this job, the employee frequently sits for extended periods of time while conducting research, reading files, and performing other related duties. Employee frequently talks and hears over the telephone and in person. Vision demands are normal, except can include close, detailed vision when operating the computer, with the ability to adjust focus for close work. Employee sits for extended periods of time while operating vehicle to and from worksites.

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

**Knowledge of:** Ohio and federal law; criminal and civil procedure and evidentiary rules; legal research methods and sources; real estate, collection, tax, land use, commercial, employment law, and bankruptcy law. Standard office practices and procedures; computer operations; English grammar; spelling and punctuation; and Microsoft Office software.

**Ability to:** Apply legal principles to practical situations and exercise sound legal judgment; develop and maintain effective working relationships with investigators, attorneys, obligees, associates, and general public; maintain confidentiality of confidential and sensitive subject matter; recognize threshold issues; effectively communicate complicated legal issues to lay persons; communicate effectively in writing; handle and coordinate large case load; communicate persuasively; analyze legal issues, problems, and documents and make effective recommendations.

**Skill in:** Legal analysis and interpretation; writing legal documents; legal negotiations; trial advocacy; drafting pleadings; and making and drafting legal opinions.

## **QUALIFICATIONS**

An appropriate combination of education, training, course work, and experience may qualify an applicant to demonstrate required knowledge, skills, and abilities. An example of an acceptable qualification is: *Juris doctor* degree and admission to practice law in the state of Ohio. Experience or demonstrable knowledge and skill in practicing assigned legal specialty. Possession of required licenses.

Willingness to serve in a position exempt from the Ohio Civil Service and the Fair Labor Standards Act.

Ability to document identity and employment eligibility within three days of original appointment as a condition of employment in compliance with Immigration Reform and Control Act requirements.

Complete satisfactory background check and drug test.

## **LICENSURE AND CERTIFICATION REQUIREMENTS**

Licensed to practice law in the state of Ohio. Maintain valid Ohio driver's license.

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

**MANAGEMENT APPROVAL**

\_\_\_\_\_  
Prosecuting Attorney

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  
Date

**EMPLOYEE UNDERSTANDING AND AGREEMENT**

I understand, and will perform, the duties and requirements specified in this job description.

I have reviewed and understand the most current copy of the Warren County Personnel Policy Manual, and any additional policies adopted by the Warren County Prosecuting Attorney.

\_\_\_\_\_  
Employee

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  
Date