UNIFIED JUDICIAL SYSTEM
POSITION DESCRIPTION

COURT CLERK MAGISTRATE II

CLASS CODE: 99-12-12

POSITION PURPOSE

Manages office operations associated with circuit and magistrate court cases filed with the court by planning, organizing, and directing procedures; and supervising personnel assigned to the court clerk magistrate's office to ensure compliance with rules and regulations set by the Unified Judicial System (UJS) and South Dakota statutes.

DISTINGUISHING FEATURE

The Court Clerk Magistrate II is distinguished by the consistent and successful application of state laws and court procedures to the daily operations of an assigned county office within a court circuit; timely and correct disposition of minor misdemeanor and civil actions; and supervision of a staff of four to eight people.

MAJOR RESPONSIBILITIES

Note: The duties listed are typical examples of work performed by positions in this job classification. Not all duties are included, nor is the list exclusive.

1. Supervises staff, ensures completion of workloads, organizes staff meetings, and communicates via telephone, video conferencing, and e-mail.
   a. Interviews and recommends new hires.
   b. Trains new employees and provides ongoing training for staff.
   c. Assigns work and oversees daily tasks.
   d. Prepares for and evaluates performance.
   e. Authorizes leave and assumes responsibilities of staff when absent.
   f. Addresses staff conflicts.

2. Manages processing of case types, e.g., criminal, juvenile, traffic ticket, civil, child support, divorce, probate, protection order, guardianship, trust, adoption, mental illness, involuntary commitment, small claim, pardon, expungement, pro se, etc., according to procedural guidelines and rules, and ensures files are correct and complete.
   a. Prioritizes caseloads and ensures errors are corrected and missing information and fees are collected.
   b. Updates case records continuously.
   c. Dockets judgments; and processes court-appointed attorney applications, orders, and vouchers.
   d. Maintains notification with outside agencies regarding related judgments.
   e. Monitors compliance with court orders.
   f. Works with pro se litigants and assists them with procedures without giving legal advice.
   g. Provides services daily such as assisting litigants, issuing subpoenas, arranging for interpreters, preparing financial summaries, making copies, processing appeal paper work, etc.

3. Performs administrative tasks to ensure the work of the unit and the court is accomplished according to applicable procedural guidelines and protocols.
   a. Coordinates facility needs and provides necessary supplies and equipment.
   b. Manages the court calendar by scheduling and assigning cases and handling notification of hearing dates; screening records' completeness and consistency; screening cases for procedural compliance; and scheduling events.
   c. Maintains courtroom files and minutes of proceedings; handles in-court exhibits and security; performs court recording; maintains responsibility for sound and video equipment and court interpretation services.
   d. Troubleshoots equipment problems and arranges for service; and resolves computer errors and compatibility issues.
   e. Performs and oversees reception duties; answers phones; writes letters; attends meetings; updates manuals; researches unfamiliar procedures; resolves disputes; organizes and prioritizes work; and uses multiple computer software programs.
   f. Manages records by maintaining cases; scanning documents; managing file and exhibit storage; retrieving, archiving, and destruction of files; and managing file checkout, tracking, and return.

4. Manages receipt and disbursement of money collected by the court, e.g., bonds, alimony, child support, prepaid attorneys' fees, scram, drug testing, fines, costs, restitutions, filing fees, etc., according to established accounting and collections procedures and protocols.
   a. Establishes and monitors payment plans.
   b. Monitors and tracks fines due and follows up if not paid.
   c. Balances and deposits funds collected daily and cashes out credit card machines.
   d. Completes monthly reports and disburses all funds to appropriate agencies or individuals.
   e. Balances bank accounts with bank statements and makes necessary adjustments.
   f. Finds and fixes issues when financial information entered is incorrect or accounts do not balance.
   g. Monitors accounts receivable and initiates collection protocols.

5. Provides customer service by answering questions from, and maintaining working relationships with a wide variety of sources, including the public, county officials and personnel, collection agencies, law enforcement, abstract offices, attorneys, media, lending institutions, defendants and their families, Judges, and other staff to assist them with court functions and to facilitate positive public relations.
   a. Provides information professionally and appropriately without giving legal advice.
   b. Recognizes and defuses escalating or irate behavior; and calls for assistance from law enforcement when necessary.
   c. Provides interpreters when working with those who do not speak English.
   d. Assists pro-se litigants by providing procedural information objectively.

6. Performs clerk magistrate duties as assigned to assist the circuit court in disposing of civil actions and to provide direct court contact for average citizens.
   a. Solemnizes marriages and administers oaths.
   b. Issues summonses and warrants.
   c. Appoints counsel.
   d. Conducts preliminary hearings, fixes bonds, or takes personal recognizance of persons charged with certain offenses.

e. Accepts defaults for petty offenses, tries contested cases involving certain petty offenses.
f. Takes pleas of guilty, not guilty, or nolo contendere for any criminal offense or for violation of any ordinance, bylaw, or other police regulation of a political subdivision in accordance with applicable statutes.

7. Implements jury management procedures by preparing a master jury list, grand jury list, and petit trial lists to ensure an adequate number of jurors are available for scheduled and pending hearings.
   a. Sends out jury summons and questionnaires and tracks responses of jurors; and reviews and enters data into the computer.
   b. Answers questions regarding jury notifications.
   c. Sorts for summons for judicial review.
   d. Sends out notices of failure to respond and changes of address.
   e. Notifies sheriffs of failure to complete lists.
   f. Creates trial panels and grand jury panels.
   g. Maintains jury trial calendars and notifies support staff of trials, e.g., sheriff, bailiff, interpreters; and sends out notices for each trial panel to jurors.
   h. Provides equipment needed for each trial, e.g., hearing impaired devices, ITV, DVD equipment, etc.
   i. Prepares the court room for Voir Dire.
   j. Vouchers jury, grand jury, and witnesses.
   k. Maintains exhibits and storage of same.
   l. Copies questionnaires for counsel.
   m. Organizes supplies for jurors;
   n. Arranges for snacks, water, and for jurors in cooperation with county officials.

8. Performs other work as assigned.

SUPERVISORY FUNCTIONS

This position supervises up to eight staff positions; and supervises the operations performed in a court clerk magistrate's office including jury management, magistrate duties, customer services, court support, financial management, case management and processing, and a wide variety of administrative tasks.

ESSENTIAL FUNCTIONS REQUIRE

Ordinary physical activities such as sitting or standing (sometimes for extended periods of time); operating a variety of office machines proficiently; proficiency in technical systems used by the court; attendance in accordance with rules and policies; stooping, bending, lifting, carrying, and moving boxes of files, paper, books, etc.; handling and storing exhibits properly; and moving between workstations on different levels in the same building or in different locations. The incumbent is also expected to get along with coworkers and the public, remain calm with upset litigants, manage stress, think clearly, meet deadlines, explain simple and sometimes complex procedures, answer the telephone clearly and in a helpful manner, and portray a positive image of UJS and its purpose.

PROBLEMS AND CHALLENGES

Challenges include professionally and appropriately handling intense workloads within defined timelines and with available staff. This is challenging because it requires maintaining knowledge of ever-changing codes, rules, and job requirements that apply to a broad variety of cases brought before the court; and having the training and experience needed to handle all types of situations. Further challenged to ensure completion and correctness of case processing, challenging because there are so many components and participants to monitor. Additionally challenged to keep pace with activities when court is in session, e.g., changes to calendar and plea agreements, adding charges and filings in the courtroom, keeping up with Judges and accurately entering sentencing in computer systems, etc.

Problems include dealing with litigants who are upset, the general assumption that working for the court means you can answer all questions and assist with all problems, communication difficulties, finding time to monitor and track fines that are due and following up if not paid, finding and fixing accounting errors, the extent of incompleteness and incorrectness that can happen throughout case processing, and knowing where to locate files and having enough storage for the large amount of files created.

DECISION-MAKING AUTHORITY

Decisions include when to call for additional help from law enforcement; the most appropriate way to handle situations without giving legal advice; if fines are past due and if further action is required; most appropriate way to find and fix accounting errors; who is allowed to access case files according to circuit rules; priority of workload; what should be filed in case files and what should not if manual guidelines are not clear; approval of employees' leave and flex time, and changing positions to accommodate work flow.

Decisions referred include final approval of new hires; resolution of staff issues and work improvement plans; handling extremely difficult individuals and credible threats toward self and other UJS staff; directions for dealing with shortages of funds; legal questions which are referred to the Circuit Court Administrator; when a court order is required for access to certain case types; protocols for equipment repair or replacement; and solutions to programming and technical issues.

CONTACT WITH OTHERS AND PURPOSE

Daily contact with staff to organize, prioritize, and monitor workload assignment and accomplishment; routine contact with the public, non-judicial agencies, attorneys, defendants and their families to provide customer service; with public, staff, bank staff, sheriffs' offices, state's attorneys' staff, county officials and personnel, defendants, attorneys, victims, Department of Corrections (DOC) staff, court services, Judges, and finance staff regarding financial management and distribution; with all parties involved in actions involving case processing to collect missing information, money owed, etc.; with Judges, staff, attorneys, abstract companies, the public, and defendants regarding access to stored records; with Judges, staff, attorneys, State's Attorneys, jail staff, public, court services, defendants and family members during courtroom proceedings; with UJS help desk staff, IT personnel, accounting staff, and repairmen regarding technical assistance and computer maintenance; and

with Judges, attorneys, State's Attorneys, plaintiffs, defendants, sheriffs' offices, police departments, court services, DOC, parole officers, jail staff, other clerks and deputies, inmates, and pro se litigants regarding calendar scheduling of hearings.

WORKING CONDITIONS

The incumbent works in a typical office and/or court environment; transports case files and pertinent materials to and from court, which may involve travel; and deals with people who are distraught, angry, and want assistance.

COMPETENCIES/QUALIFICATIONS FOR APPOINTMENT

Knowledge, Skills and Abilities:

Knowledge of:

- the organization, rules, and procedures of the Unified Judicial System
- South Dakota Codified Laws;
- policies and procedures of circuit districts and local circuit courts;
- principles and practices of case management and processing;
- computer codes and software programs used by the UJS;
- civil fees and costs required or authorized by the law;
- policies and practices of human resources management;
- general office practices;
- accounting principles and practices;
- policies governing legal information and legal advice;
- legal terminology.

Skill in:

- data entry and word processing;
- critical thinking;
- organizing and prioritizing work;
- time management;
- perseverance.

Ability to:

- remain neutral and objective while providing information and assistance to a wide variety of agencies and individuals;
- work with irate and unhappy litigants and recognize and defuse unacceptable behaviors;
- manage stress;
- adapt and work effectively in changing situations and with varying individuals;
- acquire and analyze information from various sources and draw conclusions;
- assess procedures and recommend improvements;
- pay attention to details and recognize and resolve errors;
- speak in public.

Education:

High school diploma or possession of a GED certificate.

Experience:

Three (3) years of applicable experience; supervisory experience preferred but not required; or an equivalent combination of education and experience. Certification in a Court Management Program (CMP) or Court Executive Development Program (CEDP) through the National Center for State Courts is preferred.