



October 2018
FLSA: EXEMPT
CLASS CODE: 90537

PROBATE ATTORNEY SUPERVISOR

DEFINITION

Under general direction, plans, directs, administers, supervises, and participates in the daily operations and activities of the Probate Department, including researching the more complex legal issues and recommending judicial action on proceedings and actions that are pending before the Court, and performs related work as required.

SUPERVISION RECEIVED AND EXERCISED

Receives general direction from the Assistant Court Executive Officer. Exercises direct and general supervision over assigned staff.

CLASS CHARACTERISTICS

This is the full supervisory-level class in the Probate Department that exercises a high level of independent judgment on diverse and complex legal counsel and review and has significant accountability and ongoing decision-making responsibilities associated with the work. The incumbent organizes and oversees the day-to-day legal research and advice activities provided by the Department and is responsible for providing professional-level review and tentative rulings for the Probate and other Judges. Responsibilities include oversight of a staff consisting of Probate Examiners, Probate Investigators and Legal Process Clerks. This class is distinguished from the Assistant Court Executive Officer in that the latter provides highly responsible and complex management assistance to the Court Executive Officer (CEO) coordinating and directing non-judicial activities and operations within the county court system. This class is further distinguished from the Probate Examiner in that the latter has no supervisory authority within the Probate Department nor responsibilities for organizing and overseeing day-to-day research and advisement activities for the Probate function.

EXAMPLES OF TYPICAL JOB FUNCTIONS (Illustrative Only)

Management reserves the rights to add, modify, change, or rescind the work assignments of different positions and to make reasonable accommodations so that qualified employees can perform the essential functions of the job.

- Plans, organizes, assigns, supervises, and reviews the work of staff in the Probate Department; trains staff in work procedures; provides policy guidance and interpretation to staff; as part of a panel, evaluates employee performance and works with employees to correct deficiencies; recommends and implements disciplinary procedures; assists in selection and promotion.
- Monitors activities of the assigned work unit; recommends improvements and modifications and prepares various reports on operations and activities, including workload and workflow statistics.
- Determines and recommends staffing needs for assigned activities and projects; distributes work to others and establishes research unit policies and procedures.
- Examines, reviews and evaluates complex probate files that involve conservatorships, guardianships, trust and estates for procedural deficiencies and necessary court action.

- Reviews accountings for accuracy and completeness; reviews values of assets and ensures assets are accounted for; reviews schedules of payments and receipts for discrepancies.
- Generates court calendars and prepares tentative rulings on matters pending the hearing.
- Advises attorneys, staff, Paralegals and Legal Process Assistants of deficiencies and procedural problems and methods of correcting same via Tentative Rules, Court Ticketing System, or phone.
- Evaluates sophisticated abstracts, summarizes and notes discrepancies regarding the completeness and validity of probate petitions and documents for the attention of the court.
- Reviews complex cases with Judicial Officers; advises of outstanding problems and performs research as requested.
- Reviews changes in legislation and case law pertaining to probate matters and conducts basic legal research including locating statutes and relevant case citations.
- Consults with and reviews reports from court investigators, attorneys, the Public Guardian and other agencies.
- Reviews and approves orders that can be granted without court appearance and appoints probate referees.
- Provides information in person and by telephone about probate policies, procedures, rules, calendars and specific cases; assists Pro Per Litigants with Letters and Orders and other legal paperwork.
- Monitors cases during court session, reviews documents while in court and provides recommendations to the Judge while on the bench.
- Serves as Judge Pro Tem within the Probate department, as needed.
- Performs other duties as assigned.

QUALIFICATIONS

Knowledge of:

- Principles and practices of employee supervision, including work planning, assignment, review and evaluation, and the training of staff in work procedures.
- Applicable Federal, State, and local laws, regulatory codes, ordinances, and procedures including California Probate Code, California Rules of Court, tax law, other California codes and court rules pertaining to probate matters.
- Principles and practices related to fiduciary accounting.
- Court procedures, legal terminology and documents and legal office procedures.
- General accounting principles and practices.
- Modern office practices, methods, and computer equipment and applications related to work, including word processing and spreadsheet software.
- English usage, grammar, spelling, vocabulary, and punctuation.

Ability to:

- Assist in developing and implementing goals, objectives, practices, policies, procedures, and work standards.
- Supervise, select, train, motivate, and evaluate the work of staff.
- Plan, organize, administer, coordinate, review, evaluate, and personally participate in comprehensive legal research and advice functions.
- Understand, interpret and apply the more complex pertinent provisions of the Probate Code, Civil Code and other California Codes, Judicial Council and Superior Court rules and procedures.
- Understand highly complex issues, analyze problems and documents and make recommendations.
- Write comprehensive, factually accurate reports.
- Plan and organize work to meet deadlines.

- Operate modern office equipment including computer equipment and specialized software applications programs.
- Use English effectively to communicate in person, over the telephone, and in writing.
- Establish, maintain, and foster positive and effective working relationships with those contacted in the course of work.

Education and Experience:

Any combination of experience and education/training that would likely provide the required knowledge and abilities is qualifying. A typical way to obtain the knowledge and abilities would be:

Possession of a Juris Doctorate degree from an accredited school of law, and five (5) years of increasingly responsible experience in the practice of law, including two contiguous years of experience as an attorney in the practice of probate law under the laws of the State of California and one (1) year of supervisory experience.

Licenses and Certifications:

- Possession of, or ability to obtain, a valid California Driver's License by time of appointment.
- Possession of a California State Bar license.

PHYSICAL DEMANDS

Must possess mobility to work in a standard office setting and use standard office equipment, vision to read printed materials and a computer screen; and hearing and speech to communicate in person, before groups, and over the telephone. This is primarily a sedentary office classification although standing and walking between work areas may be required. Finger dexterity is needed to access, enter, and retrieve data using a computer keyboard, or calculator and to operate standard office equipment. Positions in this classification occasionally bend, stoop, kneel, reach, push, and pull drawers open and closed to retrieve and file information.

ENVIRONMENTAL ELEMENTS

Employees work in an office environment with moderate noise levels, controlled temperature conditions, and no direct exposure to hazardous physical substances. Employees may interact with upset staff and/or public and private representatives in interpreting and enforcing departmental policies and procedures.