

THE CIRCUIT COURT

MANISTEE COUNTY COURTHOUSE
415 THIRD STREET
MANISTEE, MICHIGAN 49660
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BENZIE COUNTY GOVERNMENT CENTER
448 COURT PLACE
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STATE OF MICHIGAN
19TH JUDICIAL CIRCUIT
MANISTEE AND BENZIE COUNTIES

HON. DAVID A. THOMPSON
CHIEF JUDGE

JOB DESCRIPTION

TITLE: Domestic Relations Referee/ Research Attorney
Magistrate

DEPARTMENT: 19th Judicial Circuit

REPORTS TO: Circuit Court Judge

PAY GRADE: 7

RANGE: \$29.87 TO \$38.83 (BASED ON QUALIFICATIONS,
EXPERIENCE AND LICENSING)

SUMMARY

Under the direct supervision of the Circuit Court Judge this multifaceted position serves as the Research Attorney and the Judicial Referee for Domestic Relations matters for the 19th Circuit Court. Also acts as an Attorney Magistrate for the 85th District Court when necessary.

REQUIRED KNOWLEDGE, SKILLS, AND ABILITIES

Requirements include the following:

- Juris Doctorate Degree and two years of experience as a law clerk and/or membership on a law review or law journal and legal experience with domestic relations cases.
- The Court, at its discretion, may consider an alternative combination of formal education and work experience.

- License to practice law in the State of Michigan and a member in good standing with the Michigan Bar Association.
- Michigan Vehicle Operator's License.
- Extensive knowledge of legal research and writing, legal terminology, concepts, and procedures.
- Knowledge of the principles and practices of the Family Court system, procedures and statutes, mediation and conflict resolution.
- Experience in presenting domestic relations matters and in being examined and cross-examined on matters relating to child support, parenting time and health care matters as well as mediation procedures.
- Knowledge of domestic law, ancillary law as it relates to domestic cases, court policies and procedures, preparing and interpreting legal documents, and applicable local, state, and federal laws, rules, and regulations.
- Knowledge and skill in analyzing and researching statutes and case law, preparing and interpreting legal documents, and interpreting evidence.
- Demonstrated ability to maintain professional integrity and respect for victims, witnesses, and families, including the ability to effectively meet and deal with the public.
- Skill in assembling and analyzing data, preparing comprehensive and accurate reports, and formulating policy and service recommendations.
- Skill in effectively communicating ideas and concepts orally and in writing, and making presentations in public forums.
- Ability to establish effective working relationships and use good judgment, initiative and resourcefulness when dealing with County employees, contractors to the County, representatives of other governmental units, professional contacts, the courts and elected officials, court attendees and the public.
- Ability to assess situations, solve problems, work effectively under stress within deadlines and in emergency situations.
- Skill in the use of office equipment and technology, including Microsoft Suite applications and court-related and state software, and the ability to master new technologies.
- Ability to respond to emergencies or service needs on a 24-hour basis.

ESSENTIAL DUTIES AND RESPONSIBILITIES

This list may not be inclusive of the total scope of job functions to be performed. Duties and responsibilities may be added, deleted, or modified at any time.

1. Analyzes and assesses civil, criminal, probate, and family law cases to identify relevant factual and legal issues based upon applicable law. Reaches conclusions for recommended disposition of issues in various cases.
2. Analyzes disputed issues pursuant to applicable law, facts, and subjective interests of the parties. Advises the judge regarding the relative strengths and weaknesses of parties' respective positions making recommendations regarding options for judicial action.
3. Reviews case files, briefs, cited authority, transcripts, and documentary evidence to determine relevance, reliability, and significance for civil, criminal, and/or family matters.
4. Reviews, researches, and drafts responses to all prisoner litigation.
5. Performs independent computerized and manual legal research. Provides written legal recommendations on motions and evidentiary issues to the Judge.
6. Prepares opinions and orders for the disposition of legal matters.
7. Assists the Judge in court during trials, evidentiary hearings, oral arguments of motions and other matters brought before the court which require immediate consideration.
8. Provides legal advice to the Judge and other court employees regarding interpretation of changes in statutes, case law, court rules and procedures.
9. Monitors, and analyzes new legislation, recent court decisions, and court rule changes in both state and federal jurisdictions.
10. Sits as a Judicial Referee to conduct evidentiary hearings concerning custody, parenting time, and child support issues. Also, responsible for a monthly show cause docket regarding child support enforcement.
11. Sits as a Judicial Referee on juvenile delinquency matters and neglect/abuse matters.
12. Makes findings of fact and conclusions of law concerning the testimony and evidence submitted and renders written rulings in the form of Recommended Orders.
13. When sitting as an Attorney Magistrate, may conduct arraignments for individuals charged with offenses specified by statute including violations of the Michigan Vehicle Code (excluding those defined by statute), Penal Code, Conservation Acts, Motor Carrier Acts, marine, snowmobile, and dog laws, as defined by law. Advises defendants of the charges and all legal rights, determines eligibility for court appointed counsel, and sets

bond. May also accept guilty pleas and sentence defendants and ensure that defendants entering not guilty pleas are scheduled to appear before the court.

14. When sitting as an Attorney Magistrate, may conduct informal hearings on motor vehicle offenses designated as civil infractions, including explaining procedures to parties, swearing in witnesses, listening to testimony, examining witnesses, and making findings of fact, conclusions of law, determining responsibility, and issuing fines and costs when applicable.
15. Periodically serves in an "on call" status on nights, weekends, and holidays for issuance of search warrants, setting bonds, and conducting arraignments, or performing emergency abuse and neglect hearings.
16. Works with multiple cases in various stages of completion at any given time.
17. Required to stay current on all proposed statutory or court rule amendments for both Circuit and District Courts. Also responsible for review of appellate court decisions and the impact on current matters before the court.
18. Provides grant oversight related to problem-solving courts.
19. Supervises a Law Clerk/Student Intern.
20. Performs other duties as required.

PHYSICAL REQUIREMENTS

This job requires the ability to perform the essential functions contained in this description. These include, but are not limited to, the following requirements. Reasonable accommodations will be made for otherwise qualified applicants unable to fulfill one or more of these requirements.

While performing the duties of this job, the employee is regularly required to communicate in person and by telephone, read regular and small print, view and produce written and electronic documents, and enter data on a computer keyboard with repetitive keystrokes. The employee must be mobile in an office setting, stand, sit, stoop and kneel, use hands to finger, handle, or feel, and reach with hands and arms. The employee must lift or push/pull objects of up to 20 lbs. without assistance. Accommodation will be made, as needed, for office employees required to lift or move objects that exceed this weight.

WORKING ENVIRONMENT

The typical work environment of this job is a business office or court setting where the noise level is quiet and sometimes moderate. The job also requires travel to other locations.