



## County of Berks POSITION DESCRIPTION FORM

<b>Position Title:</b>	<b>Assistant County Solicitor - CYS</b>		
<b>Department:</b>	Solicitor	<b>Reports To: (Title)</b>	County Solicitor
<b>Effective Date:</b>	September 1, 2004	<b>Revision Date:</b>	January 26, 2020 February 9, 2021
<b>Wage Category:</b>	<input checked="" type="checkbox"/> <b>Exempt</b>	<input type="checkbox"/> <b>Non-Exempt</b>	
<b>EEO-1 Category:</b>	Professional	<b>Union Classification:</b>	N/A

### **POSITION SUMMARY:**

This position performs all legal work in the daily operation of Children and Youth Services from initial detention hearings through termination of parental rights including all appellate work. Provides general counsel on legal issues including criminal law, labor and employment law and contract law.

### **POSITION RESPONSIBILITIES:**

#### ***Essential Functions:***

1. Meet with the caseworker and supervisor prior to court proceedings and thoroughly communicate with the caseworker and case supervisor to gain and give information relevant to the proceeding, including preparing for testimony and counseling the caseworker and supervisor concerning the litigation, the court process, and BCCYS' rights and responsibilities.
2. Inform all parties that the Solicitor is representing BCCYS and make efforts to resolve the case through informal means and take steps to stay notified of all-important changes or actions involving the case.
3. Participate, in negotiations, discovery, pre-trial conferences, and family group decision-making conferences.
4. Participate in all dependency proceedings including, but not limited to, shelter care, adjudication, disposition, permanency review, and motions hearings. Participate in appeals. Additionally, participate in Criminal Proceedings, Civil Proceedings, including custody and support, Termination of Parental Rights hearings in Orphans' Court and Administrative hearings through the Bureau of Hearings and Appeals.
5. Investigate the facts of each case by speaking with the child, parent and/or parent attorney, guardian ad litem, caseworker, case supervisor and any other relevant witnesses, including expert witnesses, reviewing relevant records and court files, speaking with the court appointed special advocates, speaking with and/or meeting with the guardians or caretakers of the children, conducting site visits, interviewing other individuals involved with the children, reviewing relevant photographs, reviewing school records, reviewing medical

records, reviewing reports from outside agencies and talking to professionals, reviewing drug test or mental health reports, etc.

6. Draft, review and revise petitions, motions, stipulations, orders, objections, briefs and/or responses related to dependency, civil, custody, criminal, support, termination, administrative and orphan's court proceedings.
7. Present testimony of witnesses and legal argument concerning the safety and best interest of the child.
8. Help ensure that the caseworker and/or supervisor and all other necessary witnesses are present for every hearing and all necessary exhibits have been prepared and distributed to all parties.
9. Help identify appropriate family and professional resources for the children.
10. Communicate all court orders and other case information to the caseworker and case supervisor and discuss any questions and ensure the accuracy and compliance with all court orders, laws and regulations.
11. Monitor the implementation of court orders and take appropriate steps where non-compliance is affecting BCCYS and/or the child's best interest.
12. Attend bi-monthly meetings with the judge in charge of dependency.
13. Attend bi-monthly roundtable meeting with court staff and CYS staff.
14. Stay current on all relevant law, including case law.
15. Explain new legislation, including case law, and draft and/or revise policies and procedures to ensure compliance.
16. Remain an active attorney in good standing with the PA Supreme Court, include dependency, custody, criminal and/or support CLEs in annual CLE requirements.
17. Supervise and train paralegals on CYS practices and procedures, hold regular supervision to update paralegals on revised policies and procedures as well as changes in the law, discuss workload, forms, court orders and answer any questions.
18. Meet with administration, caseworkers, case supervisors and a paralegal to discuss and review new cases to determine if court intervention is necessary and/or appropriate.
19. Prepare all witnesses for court.
20. Meet with caseworkers, case supervisors and administrators to discuss and strategize pending cases to ensure compliance with court orders and permanency goals and to discuss if modification is necessary and/or appropriate.
21. Review and revise petitions, motions, stipulations and court orders to ensure requisite funding language is included and to ensure compliance related to funding, reimbursement and applicable regulations and laws.
22. Request and obtain court authorization to assist with funding and/or reimbursement for services or to have the costs placed on the parent/caretaker.
23. Address family finding efforts and discuss other permanency efforts, including reasonable efforts to avoid placement and/or to achieve permanency as expeditiously as possible in the best interest of the child and to reduce placement costs and obtain reimbursement.
24. Provide routine trainings to CYS, CYS providers, attorneys, and the community as requested, related to applicable regulations and laws governing CYS, including case law, as well as court procedures, reports and testifying in court.
25. Meet with expert witnesses and negotiate contractual relationships with skilled experts to provide services, opinions and testimony related to CYS cases.

26. Review and revise subsidy agreements and related court orders and address and resolve subsidy issues with foster parents and adoptive parents related to stop payments, overpayments, and other contractual issues.
27. Respond to all file requests by letter, formal objection by motion and argument, draft proposed orders and ensure all files are redacted prior to release.
28. Maintain a cooperative working relationship with law enforcement and respond to questions related to cases and requests for information.
29. Respond to Judicial requests for information.
30. Train new CYS solicitors regarding laws, regulations, policies, practices, forms and procedures.
31. Regularly meet with clerical staff to discuss filings, pending court orders, signed court orders, procedures, exhibits, summons, subpoenas, witnesses, forms, hearings and other issues. Draft, review and revise all filings and litigate civil, custody, support, criminal and protection from abuse cases with pending CYS involvement.
32. Draft, review and revise all filings, including the unified filing, subpoenas, motions, and briefs, prepare witnesses and exhibits, and litigate child abuse expunction cases before the Bureau of Hearings and Appeals.
33. Review and revise Right to Know Requests to law enforcement.
34. Meet with Administration to discuss and review policies and procedures regarding issues currently impacting child welfare and draft and revise policies as needed to address the issue.
35. Maintain a cooperative working relationship with school districts to address changes in the law and to discuss issues, policies, procedures and the laws related to child abuse investigations involving school personnel and meeting with children in the school.
36. Meet with Court Appointed Special Advocate (CASA) Director to discuss policies, practices, reports, procedures and other issues as they arise and attend CASA functions to support the program.
37. Provides coverage for County Solicitor and First Assistant Solicitor as requested.
38. Other duties as requested by supervisor.

***Non-Essential Functions:***

Attends meetings with administration, caseworkers and fiscal department in general miscellaneous legal matters including support orders, labor issues and criminal issues.

**MINIMUM EDUCATION AND EXPERIENCE:**

- Juris Doctorate from Accredited Law School.
- Admission to the Pennsylvania Bar by the Supreme Court of Pennsylvania.
- Minimum of three years' experience in related legal field.

**MINIMUM KNOWLEDGE, SKILLS AND ABILITIES:**

- Knowledge of trial advocacy including Rules of Evidence and Civil Procedure.
- Knowledge of appellate advocacy including knowledge of the Rules of Appellate Procedures.
- Knowledge of Administrative Procedure.
- Knowledge of local government organization and administration.
- Knowledge of applicable local, state and federal laws and regulations.
- Ability to communicate effectively both orally, and in writing.

- Ability to interpret and apply applicable rules, laws, ordinances, and policies.
- Ability to establish and maintain working relationships.
- Ability to handle stress.
- Physical presence in the office is required.

**PHYSICAL DEMANDS:**

Work involves walking, talking, hearing, using hands to handle, feel objects, tools, or controls, and reaching with hands and arms. Vision abilities required by this job include close vision and the ability to adjust focus. The employee must occasionally lift and/or move up to 10 pounds a distance of fifteen (15) feet or less.

**WORKING ENVIRONMENT:**

Normal office environment.

*This position description serves as a guideline for communicating the essential functions and other information about the position to the applicant/employee. It is not intended to create a binding employment contract nor cover every detail of the position and may be changed where appropriate.*