

TOLEDO MUNICIPAL COURT-JUDGES' DIVISION
CLASS SPECIFICATION

Magistrate/Housing Magistrate

Department: Quasi-Judicial
Reports to: Presiding Judge/Court Administrator
Job Code: 8002
Date Established: August 9, 1983
Ordinance No.: 699-83
Salary Level: SPL
Salary Amendments:
Classification Last Revised and Approved: August 21, 1991; October 1 , 1993; July 11, 1997; and January 21, 2015

DEFINITION:

The position of Magistrate shall be considered confidential and at-will. Magistrates are appointed by the majority of the Judges serving on the Court and are directed primarily by the Presiding/Administrative Judge. The Court Administrator is responsible for the administrative oversight required of the position. The Judges' Magistrate Sub-Committee is responsible for the performance evaluation of the position.

Magistrates are attorneys hired and authorized by the Court to preside over court proceedings pursuant to Ohio Civil Rule 53, Ohio Criminal Rule 19, and Ohio Traffic Rule 14. Magistrates hear the categories of cases outlined in Toledo Municipal Court Local Rule 4 (A), and other cases pursuant to a specific or general order of reference from the Presiding Judge. Qualifications for the position of Magistrate are set forth as provided in Rule 19 of the Ohio Supreme Court Rules of Superintendence for the Courts of Ohio. In accordance with Rule 19.1 of the Ohio Supreme Court Rules of Superintendence for the Courts of Ohio, the Magistrate may hear the following: default proceedings under Civil Rule 55; forcible entry and detainer proceedings under R.C. Chapter 1923 in which the right to trial by jury is waived or not demanded; small claims proceedings under R.C. Chapter 1925; and traffic proceedings in which there is a guilty plea or written waiver by the defendant or the right to trial by a Judge.

ESSENTIAL DUTIES AND RESPONSIBILITIES:

➤**Preside over assigned civil docket, including, but not limited to:** hears testimony and arguments; accepts and evaluates evidence in accordance with the applicable rules of evidence; rules on objections and motions and makes determinations; applies case law and statutes; relates legal principals to facts and makes determinations; prepares legally defensible findings of fact and conclusions of law; encourages/facilitates mediation in order for parties to reach mutually acceptable agreements.

➤**Preside over assigned traffic/criminal docket, including but not limited to:** receives pleas; determines guilt or innocence in accordance with the evidence available; receives statements in

explanation, mitigation or extenuation; imposes penalties in accordance with the evidence and the available Court resources.

➤ **Conducts other hearings as directed, including but not limited to:** motions for order of recovery of specific personal property either before or after judgment and motions for order of attachment of personal property; appeals of vicious/nuisance or dangerous dogs designations; garnishment hearings; ALS (administrative license suspension) hearings; show cause hearings and BMV appeals and civil petitions; probation violation hearings.

➤ **Exercises appropriate Courtroom control, including but not limited to:** controlling and maintaining courtroom procedure and conduct of courtroom participants, including litigants, staff, and attorneys; facilitates and protects the record of court proceedings through the JAVS system; oversees the marking and tracking of exhibits as required; maintains fairness and impartiality at all times.

➤ **Performs legal research, including but not limited to:** analyzing and summarizing research of statutes, secondary legal sources, local/evidentiary rules and legislative changes using hard copy and computerized legal research materials; maintaining knowledge of applicable statutes, rules of procedure, and case law.

➤ **Other duties as assigned. The Toledo Municipal Court Judges' Division retains the right to add, delete, or modify the duties of this position at any time.**

KNOWLEDGE, SKILLS AND ABILITIES:

Knowledge of:

- Knowledge of Municipal Court operations, policies and procedures
- Knowledge of substantive law, including statutes, ordinances, common law and case law
- Knowledge of procedural law including criminal rules of procedure, civil rules of procedure, rules of evidence, traffic rules, Rules of Superintendence for Municipal Court and local court rules
- Knowledge of legal terminology
- Knowledge of effective written and oral communication techniques and practices, including spelling, grammar, penmanship and punctuation
- Knowledge of techniques to minimize and deescalate individuals within a courtroom setting
- Knowledge of NORIS applications, the court's case management software, LEADS, CATS, Probation Case Management System and Inmate Records
- Knowledge of MS Office Suite, including Word and Excel
- Knowledge of record systems and maintaining updated/current records
- Knowledge of case flow management principles
- Knowledge of basic mathematics (addition, subtraction, multiplication, division, etc.)

- Knowledge of applicable ethical standards and conflict of interest avoidance inherent to working in a Court

Skill in:

- Skill in analyzing and summarizing legal issues
- Skill in learning and applying a variety of rules, practices, codes and/or other procedures
- Skill in applying the law to the facts at hand
- Skill in identifying legal paperwork and determining appropriate action(s) associated with different types of legal paperwork
- Skill in dealing with the public and establishing and maintaining effective working relationships with others
- Skill in effectively communicating with a wide variety of individuals, including Judges, attorneys, Court staff, Clerk's Office staff, litigants, witnesses and victims
- Skill in analyzing problems and recommending corrective action
- Skill in organizing and maintaining information/records
- Skill in creating an environment of helpfulness, inclusiveness, courtesy and civility
- Skill in negotiating and resolving conflict
- Skill in keyboarding
- Skill in operating standard office equipment (including, but not limited to, telephone, copier, scanner, fax, computer and calculator)
- Skill in proofreading
- Skill in managing time
- Skill in written communication for business and legal correspondence
- Skill in maintaining detailed records
- Skill in prioritizing and organizing work activities

Ability to:

- Ability to correctly interpret and apply Court policies and procedures
- Ability to identify and analyze legal issues, and to identify relevant facts, statutes, rules and legal precedents
- Ability to apply relevant law, legal principles, specialized knowledge and logical thinking to individual cases and problems
- Ability to make decisive and timely decisions and render judgment in an efficient manner
- Ability to hear sufficiently to converse with other individuals both in person and by phone
- Ability to see sufficiently to review court records and information necessary to sustain informed, balanced decisions
- Ability to diffuse tense or hostile situations
- Ability to interact effectively in a courteous and professional manner, with diverse

populations from a varying socio-economic, educational and cultural backgrounds and with a wide range of individuals, including judges, staff, other departments/agencies, attorneys, interpreters, victims, witnesses and litigants

- Ability to exercise the required temperament and demeanor to preside over and control a busy courtroom
- Ability to work well under high pressure and within precise time constraints
- Ability to be highly organized
- Ability to recognize the need for change and respond with flexibility to changing program demands
- Ability to propose solutions and modify performance to ensure Court programs, processes and procedures are implemented
- Ability to effectively and professionally communicate in a manner that inspires public trust and confidence
- Ability to work effectively with interpreters and individuals with communication barriers
- Ability to maintain self-control under stressful conditions, including the ability to effectively communicate with upset, angry or frustrated individuals and individuals accused or convicted of crimes
- Ability to listen to individuals to obtain information necessary to render fair decisions
- Ability to read and comprehend written material, including case entries and other legal documents
- Ability to document work activities, work independently with minimal direction, prioritize work tasks, manage time and meet deadlines under time pressures and stress
- Ability to set priorities and process multiple projects and responsibilities simultaneously
- Ability to define problems, establish facts, analyze data in order to make reasonable decisions or present recommendations based on this information
- Ability to work outside regular work hours when needed
- Ability to operate a computer and keyboarding skills
- Ability to handle sensitive or confidential information
- Ability to compose correspondence and reports using proper grammar, punctuation, spelling and syntax
- Ability to maintain the standards of ethics and professional responsibility associated with working for the Court
- Ability to maintain consistency and uniformity
- Ability to role model emotional maturity
- Ability to be fair and impartial

Personal Characteristics of:

Other – Fair, impartial, dependable, professional, diplomatic, mature, adaptable, attentive to detail and good judgment

MINIMUM QUALIFICATIONS:

Education: Juris doctor degree from an accredited law school required.

Availability: An employee must be able and available to work during the Court's business hours on the days required. (Monday through Friday; 8:30 a.m. to 12:30 p.m. or 12:30 p.m. to 4:30 p.m.). May be required to work beyond these hours, and every effort will be made to provide advance notice of such.

Experience: Minimum of four (4) years of legal practice required.
Must be an attorney of law admitted to practice law in the State of Ohio and be in good standing with Supreme Court of Ohio.

Background: Must be LEADS-certifiable

Other: Must register as a Magistrate with the Supreme Court of Ohio.
Must annually file a State of Ohio financial disclosure.
Must comply with the Ohio Code of Judicial Conduct.
Must take a minimum number of Ohio Judicial College courses as prescribed by The Supreme Court of Ohio's Commission on Continuing Legal Education.
Prohibited from the Practice of Law in Toledo Municipal Court and shall not represent clients in cases before the Toledo Municipal Court

ENVIRONMENTAL FACTORS AND PHYSICAL DEMANDS:

The physical demands and work environment described are representative of those associated with performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform these essential functions.

- An employee is frequently required to sit, walk and stand up to 70% of workday. May involve manipulating up to 10 pound items
- An employee is regularly required to keyboard
- An employee is frequently required to communicate orally, including speaking in public
- An employee is regularly required to read typed and handwritten documents
- An employee is regularly in the presence of defendants who are convicted or accused of crimes, including crimes involving violence