



## Superior Court of California, County of Nevada Commissioner

<b>SALARY</b>	\$4,677.86 Biweekly \$10,135.36 Monthly \$121,624.29 Annually	<b>LOCATION</b>	Nevada City, CA
<b>JOB TYPE</b>	Part-Time	<b>JOB NUMBER</b>	21-00145
<b>DEPARTMENT</b>	Commissioner	<b>OPENING DATE</b>	04/24/2024
<b>CLOSING DATE</b>	5/12/2024 11:59 PM Pacific		

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### Description

#### **COURT MISSION & GUIDING PILLARS**

The mission of the Nevada County Superior Court is to ensure fair and equal access to justice, inspire trust and confidence in the court, and to treat everyone with dignity and respect.

To achieve this mission, the court has three guiding pillars:

*Operational Excellence* is embracing a mindset of continual improvement, project management, and high standards of work to enhance our professionalism, efficiency, and effectiveness.

*Culture of Service* is cultivating an environment to support one another and serve the community, fostering a sense of connection and shared commitment.

*Cybersecurity* is safeguarding our ability to serve as a trusted organization in the virtual realm, ensuring the security and integrity of our connections with partners and the public.

#### **DEFINITION**

Under general direction, this at-will, professional level position performs various judicial functions as prescribed by law or conferred by the court. Commissioners are subordinate judicial officers and employees that serve at the pleasure of the court under the direction of the Presiding Judge and Court Executive Officer. The power and authority of court commissioners is specified in Article VI, Section 22, of the California Constitution, Code of Civil Procedure Section 259 and Government Code Section 71622. Commissioners have the same jurisdiction and exercise the same powers and duties as the judges of the court with respect to infractions and small claims actions, and in other matters, pursuant to stipulation of the parties. Commissioners perform judicial and quasi-judicial functions to assist the court in performing its constitutional and statutory duties for the administration of justice, with primary responsibility for presiding over a daily court calendar as assigned, including acting as a temporary judge in appropriate cases, and performing other related duties as assigned.

#### **CLASS CHARACTERISTICS**

This professional level class performs subordinate judicial duties, assisting the court with the administration of justice, including acting as a temporary judge in certain types of cases. It is distinguished from the position of judge in that it is appointed by and serves at the pleasure of the court and acts only as a temporary judge, presiding over cases as directed, upon stipulation of the parties.

## The Position

### EXAMPLES OF ESSENTIAL DUTIES

Duties may include, but are not limited to, the following:

- Acts as a temporary judge in court cases pursuant to the stipulation of counsel or parties; conducts a daily court calendar; presides over hearings and trials; makes rulings, findings, judgments, and orders.
- Exercises the same powers and duties as a judge of the court in assigned cases, with the same jurisdiction.
- May hear and determine ex parte motions for orders, alternative writs and writs of habeas corpus.
- May be assigned responsibility for hearing, reporting on and determining uncontested actions and proceedings, as well as set bail after court hours.
- Presides over proceedings in one or more of the following: family law, civil and small claims actions; criminal and traffic arraignments; hearings and trials of infractions, misdemeanors and felonies, probate, family law and juvenile court.
- Serves as Child Support Commissioner for AB1058 cases for this court and other courts as assigned.
- Arraigns defendants, grants continuances, hears, reviews, and rules on a variety of petitions, motions and other actions; takes evidence from concerned parties and other witnesses, makes or recommends appropriate court orders; accepts pleas and imposes sentences; sets cases for hearing and trial; conducts court and jury trials.
- Reviews court files, documents, and related materials to assess cases prior to and following hearings; prepares court documents, records, reports, correspondence, and other written materials pertaining to case findings.

## Typical Qualifications

### MINIMUM QUALIFICATIONS

#### *Knowledge of:*

- Legal principles and precedents as applied to judicial procedures;
- The judicial system, including but not limited to criminal, juvenile, family and civil law;
- California Codes such as Vehicle, Penal, Evidence, Civil, and Civil Procedure;
- California Rules of Court and procedures related to the acceptance of pleas, rulings, sentencing and disposition of criminal cases;
- Court procedures, protocols and calendaring practices;
- Code of Ethics for California Court Employees;
- California Code of Judicial Ethics;
- Court methods and practices; legal terminology and document processing;
- Courtroom activities and procedures;
- Modern office equipment and software including computers and copiers;
- Computer software applications including the Court's case and queue management systems, as well as email, word processing and spreadsheet programs;
- Basic mathematical computations, and;
- Principles of English grammar, spelling, and punctuation.

#### *Ability to:*

- Objectively analyze and interpret legal issues, principles and arguments;
- Direct and control courtroom proceedings in a decisive, orderly and equitable manner;
- Communicate orally and in writing in a concise and effective manner;
- Work in a fast-paced, sometimes stressful, environment; exercise judicial temperament and demeanor; effectively handle pressure in difficult and unexpected situations by responding in a calm and rational manner;
- Operate a variety of office equipment including computers;
- Work cooperatively and interact tactfully with the public, justice partners, Court employees, Judicial Officers and with others contacted in the course of work;
- Understand, explain, and apply laws, rules, and regulations;
- Safeguard sensitive information and maintain confidentiality;
- Reason analytically and organize facts; evaluate situations and resolve problems;
- Use sound judgement in carrying out responsibilities;
- Effectively multi-task and prioritize work to meet deadlines, and;
- Travel between Court facilities when required.

## EDUCATION AND EXPERIENCE

- A Juris Doctor degree from an accredited law school.
- Pursuant to California Rules of Court, Rule 10.701(b)(1) be “. . . admitted to practice law in California for at least 10 years or, on a finding of good cause by the presiding judge, for at least 5 years.
- Must demonstrate relevant legal experience as deemed sufficient by the judges of the court. Experience in the practice of family law is desired.
- In accordance with California Rules of Court, Rule 5.30, within six months of beginning a family law assignment, the judicial officer must attend a basic educational program on California law and procedure designed primarily for judicial officers; complete other continuing education as required.

## LICENSES

- Must be an active member of the California State Bar in good standing.
- Possession of a valid California Driver's License and the ability to travel to both the Truckee and Nevada City locations is required.

## Supplemental Information

### APPLICATION PROCESS

- Applications will be reviewed internally from May 13, 2024 through May 29, 2024
- Invitations to interview will be emailed May 30, 2024 through June 6, 2024
- First interview tentatively scheduled for June 14, 2024
- Second interview tentatively scheduled for June 21, 2024

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### Agency

Superior Court of California, County of Nevada

### Address

201 Church St, Suite #6

Nevada City, California, 95959

### Phone

530-362-5266

### Website

<http://nccourt.net>

## Commissioner Supplemental Questionnaire

### \*QUESTION 1

If you are now an officer or director of any business organization or otherwise engaged in the management of any business enterprise, please give details, including: (a) the name of the enterprise (b) the nature of the business, (c) the title of your position (d) the nature of your duties (e) the term of your service. If it is not your intention to resign such position(s) and give up any other participation in the management of any of the foregoing enterprises, please so state and give reasons.

### \*QUESTION 2

If you are selected for the position, do you agree to forego the practice of law during your tenure?

- Yes
- No

### \*QUESTION 3

Do you regularly appear in court?

Yes

No

**\*QUESTION 4**

What percentage of your appearances in the past five (5) years was in (please complete appropriate section(s)): (a) Federal Courts; Civil Courts; Criminal Courts (b) State Supreme/Appellate Courts; Civil Courts; Criminal Courts (c) Superior Courts; Civil Courts; Criminal Courts; Probate Courts; Family Law Courts; Juvenile Courts; Mental Health Courts; Traffic Courts (d) Other courts or administrative tribunals or agencies (please describe):

**\*QUESTION 5**

Overall, what percentage of your litigation experience in the past five (5) years was: (a) Civil (b) Criminal (c) Family Law (d) Juvenile (e) Probate (f) Mental Health (g) No litigation experience Please explain experience.

**\*QUESTION 6**

What percentage of your trials in the past five (5) years were: (a) Jury (b) Non-jury (c) No trial experience

**\*QUESTION 7**

Describe the nature and extent of any service as an arbitrator or mediator you have rendered either privately or through the judicial arbitration program or other programs. Describe the more significant cases and identify the counsel involved.

**\*QUESTION 8**

Describe ten (10) of the more significant litigated matters that you have handled or worked on in the past five (5) years and give the citation if the case(s) were reported. Please list the judges and your opposing counsel in each case. Indicate if you do not have litigation experience.

**\*QUESTION 9**

Has the nature of your practice been substantially different prior to the past five (5) years (please type yes or no)? If yes, please complete the next sections (a), (b), and (c): Summarize your experience in court prior to the past five (5) years: (a) What percentage of your appearances prior to the past five years was in: (1) Federal Courts (2) State Supreme/Appellate Courts (3) Superior Court (4) Other courts or administrative tribunals or agencies (b) What percentage of your litigation prior to the past five (5) years was: (1) Civil (2) Criminal (c) What percentage of your trials prior to the past five (5) years was: (1) Jury (2) Nonjury

**\*QUESTION 10**

Have you ever held a bonded position? Please type Yes or No; if yes, please specify the nature of the position and dates and amount of bond.

**\*QUESTION 11**

Has anyone ever sought to recover upon your bond or cancel same? Please type Yes or No; if yes, please explain.

**\*QUESTION 12**

Have you ever been refused bond? Please type Yes or No; if yes, please explain.

**\*QUESTION 13**

As a member of any organization, or as a holder of any office, or as an attorney, have you ever been suspended, disbarred or otherwise disqualified, or had such license suspended or revoked; or have you ever been reprimanded,

censored, or otherwise disciplined; or are there any charges, formal or informal, presently pending against you? Please type Yes or No; if yes, please state the complete facts, disposition, if any, and authority in possession of the records thereof.

**\*QUESTION 14**

Have you ever been sued by a client? Please type Yes or No; if yes, please give complete details.

**\*QUESTION 15**

Have you ever been a party or otherwise involved in any other legal proceeding? Please type Yes or No; if yes, please give the particulars. Include all legal proceedings in which you were a party in interest, were named as a co-conspirator, or co-respondent. Do not list proceedings in which you were merely a guardian ad litem or stakeholder.

**\*QUESTION 16**

Has any federal, state, or local authority ever instituted a tax lien or other collection procedure against you? Please type Yes or No; if yes, please describe the incident and the current status.

**\*QUESTION 17**

Are there any unsatisfied judgments against you, or are you in default in any way in the performance or discharge of any duty or obligation imposed upon you by decree or order of any court, including alimony and/or support orders and decrees? Please type Yes or No; if yes, please state complete details.

**\*QUESTION 18**

Have you ever been cited for contempt of any court or body having the power of contempt? Please type Yes or No; if yes, please give details.

**\*QUESTION 19**

Describe any aspects of your personal, business, or professional conduct that may reflect adversely on you or the court, which you believe should be disclosed prior to further consideration of you for appointment as a commissioner.

**\*QUESTION 20**

Describe the nature and extent of any free legal services you have provided to nonprofit organizations, indigent individuals, and others, including the names and addresses of such organizations and/or individuals where appropriate.

**\*QUESTION 21**

Why do you seek this position?

**\*QUESTION 22**

Why do you believe you are qualified for this position?

**\*QUESTION 23**

What will you seek to accomplish if you are appointed to this position?

**\*QUESTION 24**

Describe the nature and extent of any service as a judge pro tempore for the past five (5) years.

**\*QUESTION 25**

Describe the nature and extent of your non-professional involvement in community, professional, and civic affairs.

**\*QUESTION 26**

Are you, or is any member of your immediate family, related to a judge of the Nevada County Superior Court? Please type Yes or No; if yes, please identify the judge and the relationship.

**\*QUESTION 27**

Is there any reason why you could not accept any assignment or schedule made by the Presiding Judge in any of the following areas: Mental Health, Probate, Juvenile, Criminal, Traffic, Family Law, Civil, Small Claims, or Unlawful Detainers? Please type Yes or No; if yes, please state which assignment(s) you would be unable to accept and the reason(s).

**\*QUESTION 28**

List any honors, prizes, awards, commendations, or other forms of recognition you have received.

**\*QUESTION 29**

This position serves in both Nevada City and Truckee branch locations. Do you have any limitations traveling between locations? Please type Yes or No; if no, please explain.

\* Required Question