

## **COURT COMMISSIONER**

### **DEFINITION**

Under general direction of the Presiding Judge, the Court Commissioner performs various judicial functions as prescribed by law or conferred by the Court. The Court Commissioner will perform functions consistent with Title IV-D (AB 1058) support actions as specified by statute under Family Law Code sections 4250-4253. The Court Commissioner may also hear civil, criminal, traffic, small claims and other matters as assigned by the Presiding Judge. The Court Commissioner has the same jurisdiction and exercises the same powers and duties as judicial officers with respect to infraction, small claims actions and all other matters before the Court by stipulation of the parties. The Court Commissioner may be assigned to any Court location.

### **DISTINGUISHING CHARACTERISTICS**

The Court Commissioner position is a professional level position that performs judicial functions of the Court, assisting the Court in disposing of business connected 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 the Judges of the Court and acts only as a temporary judge, presiding over cases as directed by the Presiding Judge, and upon the stipulation of the parties. This position is designated as "at-will" and, as such, the incumbent serves at the pleasure of the Trial Court pursuant to Government Code section 71622.

### **ESSENTIAL FUNCTIONS AND DUTIES**

The Court reserves the right to assign or reassign duties as required to achieve business and operational objectives. When assigned, all of the essential functions and duties listed below must be accomplished effectively, are standard, and may not be inclusive of all functions and duties that may be assigned. Depending on assignment, essential functions and duties may include but are not limited to those listed below.

- Exercises the same powers and duties as a Judge of the Court in assigned cases, with the same jurisdiction; acts as a temporary judge in court cases pursuant to the stipulation of counsel and parties; conducts a daily court calendar; presides over hearings and trials; makes rulings, findings, judgments and orders.
- Presides over proceedings in one or more of the following: civil and small claims actions; criminal and traffic arraignments; hearings and trials of infractions, misdemeanors and felonies; probate, family law and juvenile court.
- Conducts judicial hearings in family support cases involving Title IV-D of the Social Security Act, and cases filed by the Department of Child Support Services to establish parentage and other child support-related matters.
- 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.
- Presides over court and jury trials; listens to testimony and argument; evaluates evidence and rules of evidentiary objections.
- Administers oaths and affirmations and takes affidavits and depositions.
- Hears, reports on and determines uncontested actions; and hears such other matters as specified by law and at the direction of the Presiding Judge.
- Conducts proceedings with decorum and maintains order in the courtroom.
- Serves on judicial committees.

- Travels between Court facilities as necessary to carry-out duties.
- Performs other duties as assigned.

## **EMPLOYMENT STANDARDS**

### **Minimum Qualifications**

To qualify for this classification, an individual must possess the following experience and education:

Either I

Active member in good standing of the State Bar of California and admitted to practice law in California for at least ten (10) years, or for at least five (5) years with written justification demonstrating why relevant legal experience, education and training should be deemed sufficient for a good cause exception by the Presiding Judge as stated in California Rules of Court, rules 2.812 and 10.701.

Or II

Currently serving as a subordinate judicial officer in a trial court as of January 1, 2003.

### **Knowledge and Abilities**

Knowledge of:

- Legal principles, precedents and applications as applied to judicial procedures.
- Judicial system including, but not limited to, family and civil law, juvenile, criminal, probate, codes and statutes.
- Court and courtroom procedures and processes.
- California Codes such as Vehicle, Penal, Evidence, Civil, Civil Procedure and Code of Judicial Conduct. 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.
- Legal research methodology and writing.
- Trial Court administration.
- Principles and practices of policy and/or procedure development and implementation.
- Computer assisted legal research.
- Modern office methods and technology including the use of a personal computer and related software such as word processing, spreadsheets, databases, case management systems and scheduling programs.
- Legal terminology.
- Correct English use, punctuation, spelling and grammar.

Ability to:

- Read, understand and objectively analyze and interpret legal issues, principles and arguments.
- Prepare well-organized, clear, concise and accurate documents such as reports, orders/rulings and correspondence.
- Direct and control courtroom proceedings in a decisive, orderly and equitable manner.
- Communicate clearly and concisely, both orally and in writing.
- Exercise appropriate judicial temperament and demeanor.
- Effectively handle pressure in difficult and unexpected situations by responding in a calm and rational manner.
- Use strong interpersonal skills to establish and maintain effective working relationships with all levels of Court staff, elected and appointive bodies and members of the general public.
- Maintain confidentiality of information and exercise discretion and independent judgement.

- Work under the pressure of deadlines, conflicting demands and emergencies.
- Understand, follow and give written and oral instructions.
- Complete all duties as assigned timely and accurately.
- Meet the education and training requirements established in California Rules of Court, rule 5.340 by attending new judicial officer and continuing education programs.
- Learn and utilize the Department of Child Support Services California Guideline Child Support Calculator.
- Use tact and diplomacy when dealing with sensitive, complex and/or confidential issues and situations.

Other Requirements

- Possession of a valid driver’s license may be required depending on the position or the ability to provide alternate methods of transportation that meets job requirements.
- Candidates are required to pass a fingerprint clearance by the Federal Bureau of Investigation (FBI) and Department of Justice (DOJ). Convictions, depending on the type, number and date, may be disqualifying.
- A financial disclosure statement pursuant to Fair Political Practices Commission Regulations is required within 30 days following appointment and annually thereafter.
- Court Commissioners are prohibited from practicing law during tenure and must comply with the Canons of Judicial Ethics and mandatory educational requirements.
- All Court employees must take the Oath of Allegiance.

**PHYSICAL DEMANDS AND WORK ENVIRONMENT**

The physical demands and work environment characteristics described here are representative of those that must be met by an incumbent to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

**Physical Requirements:** Strength, dexterity, coordination and vision to use a keyboard and monitor; hearing to communicate with the public and Court staff; ability to sit for extended periods of time; walk or otherwise move within the Court facilities; reach with hands and arms; vision to read and write material; sufficient strength to lift, carry, push or pull materials weighing up to 25 pounds; lifting position may be from floor to waist, and/or from the waist to an overhead position; to stoop, kneel, squat and crouch to pick-up or move objects, office equipment and records; speak clearly on the telephone and before groups.

**Working Environment:** Work is performed in an office environment with little exposure to outside temperatures or dirt and dust. The incumbent’s working conditions are typically quiet, but may be loud at times at some locations. The noise level and traffic level in the work environment are similar to a busy office.

Normal business hours are 8:00 a.m. to 5:00 p.m., Monday through Friday. Work outside of these hours may be necessary in certain circumstances. This position is exempt from the provisions of the Fair Labor Standards Act and is not eligible for over-time.

**NOTE:** The statements herein are intended to describe the general nature and level of work being performed by individuals assigned to this job classification, and are not to be construed as an exhaustive list of responsibilities, duties and skills required of personnel so classified. Furthermore, they do not establish a contract for employment and are subject to change at the discretion of the employer.

<b>Job Title</b>	Court Commissioner
<b>Classification Status</b>	UM

<b>Representation Unit</b>	None
<b>FLSA Status</b>	Exempt
<b>Established</b>	04/2011
<b>Revised</b>	07/2022
<b>Previous Title</b>	Court Commissioner

**General sign-off:** I understand that I am expected to adhere to all Court policies and procedures. I have read and understand the explanation and description of this job classification. By signing below, I am declaring that I am able to meet the employment standards and perform the essential functions and duties of this classification with or without accommodation.

Signature \_\_\_\_\_

Date \_\_\_\_\_