

## **COMMISSIONER**

---

### **DEFINITION**

Under general direction of the Judge(s) of the Court, this professional level position performs various judicial functions as prescribed by law or conferred by the Court. The power and authority of Court Commissioners is specified by statute. Commissioners have the same jurisdiction and exercise the same powers and duties as the Judges of the Courts with respect to infractions and small claims actions, and in other matters pursuant to stipulation of the parties.

### **DISTINGUISHING CHARACTERISTICS**

This professional level class performs judicial functions for 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 and serves at the pleasure of the Judges and acts only as a temporary Judge, presiding over cases as directed, at the stipulation of the parties.

### **TYPICAL TASKS**

- acts as a temporary Judge in Court cases pursuant to the stipulations of counsel or parties
- conducts a daily Court calendar
- presides over hearings and trials
- makes rulings, findings, judgments, and orders
- exercises nearly all of the same powers and duties as a Judge of the Court in assigned cases, with the same jurisdiction
- 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
- 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

## **EMPLOYMENT STANDARDS**

### **Knowledge of:**

- Legal principles and precedents
- Traffic procedures
- Small Claims procedures
- Courtroom procedures
- Habeas Corpus procedures and standards
- Juvenile law

### **Ability to:**

- Work independently performing quasi-judicial work
- Interpret, enforce and carry out current State, County, City, and local laws

## **EXPERIENCE/EDUCATION**

Knowledge of legal principles and precedents as applied to judicial procedures is required **AND** active membership in the State Bar of California, admitted to practice for a period of at least five years with experience in Civil, Criminal, Family, Juvenile, Probate, and/or law and motion litigation.

Incumbents must be United States citizens and cannot engage in the active practice of law during employment with the Court in this capacity.