



Annual 3-1-14

PROSECUTOR PERFORMANCE EVALUATION

ORIGINAL

Employee Name: Daniel Simons	Court Assignment: CCL 10
Time Covered by This Evaluation:	Title/Position: Misdemeanor #3
From: 1/13/2014 To: 3/17/2014	Attorney Supervisor: William Cowardin

Use this rating scale when evaluating the job performance categories.

EXTRAORDINARILY SURPASSES EXPECTATIONS	5
FREQUENTLY EXCEEDS EXPECTATIONS	4
MEETS EXPECTATIONS/SOLID PERFORMER.....	3
IMPROVEMENT NEEDED/PERFORMANCE SOMEWHAT BELOW EXPECTATIONS	2
DOES NOT MEET EXPECTATIONS/UNACCEPTABLE PERFORMANCE.....	1

* You must provide comment AND rating for each sub-category

1. **TRIAL ABILITY** a. Voir dire b. Direct examination c. Cross examination d. Arguments e. Ability to make tough cases better f. Willingness to try tough cases g. Other trial techniques (i.e., technical aids, etc.)

Specific Examples/Comments: Dan's trial ability is very good from what I have been able to see. Since I have supervised Dan, he has only had the opportunity to try one case, but he did a very good job. His voire dire abilities are much better than I would expect to see from a prosecutor during their first trial. He made some mistakes, but overall I was impressed with Dan's performance. The only reason I am not putting a "4" in this category is I'm not sure one trial is enough to say that someone frequently exceeds expectations, and I think more time is needed to see if his performance improves.

Trial Ability Rating (1-5):

2. **PREPARATION** a. File documentation b. Witness preparation c. Motions and notices d. Pleadings e. Ability to make a tough case better f. Other

Specific Examples/Comments: Dan did a solid job preparing his cases for trial. He is frequently able to spot potential issues in cases and look for ways to make his case stronger. He is excited about his cases and genuinely cares about trying to obtain a good result.

Preparation Rating (1-5):

3. **KNOWLEDGE OF LAW** a. Application of law to facts b. Spotting legal issues c. Building on earlier acquired knowledge of the law.

Specific Examples/Comments: Dan is a new prosecutor and his knowledge of the law is appropriate for his level of experience. He is able to spot issues, and non-issues with his cases and has prepared for several hearings on motions to suppress.

Knowledge of Law Rating (1-5):

4. **COMPLETION OF ASSIGNED TASKS** a. "To Dos" b. Additional assignments c. Attentiveness and communication with victims

Specific Examples/Comments: Dan has done an excellent job making sure that all of his tasks are complete. I have not had any issues with tasks not being completed on time. Dan is a #3 and as such, he does not have extensive contact with victims, but in the instances where I have observed him speaking to complainants he has done a good job.

Completion of Assignments Rating (1-5):

5. **ORGANIZATIONAL SKILLS** a. Time management b. File organization c. Docket management

Specific Examples/Comments: Dan's organizational skills are good. He is able to keep his office relatively clear despite having a very large number of cases assigned to him. His files are organized and well documented. He, along with Sheila Hansel and Cecilia Martinez, are consistently able to locate files in a timely manner.

Organizational Skills Rating (1-5):

6. **JUDGMENT** a. Plea bargaining b. Responsiveness to critique c. Case Evaluation d. Issue spotting and resolution e. Makes well reasoned decisions f. Solves unique problems

Specific Examples/Comments: Dan shows some issues with judgment that I believe will be addressed by more time and experience at the office. He is genuinely excited about his cases, but he tends to be a bit overzealous. He tends to focus solely on the strengths of his case, and has some trouble admitting problems with his cases. I believe this is typical for a new prosecutor, and is not an acute problem that would merit a needs improvement rating.

Judgment Rating (1-5):

7. **TEAMWORK** a. Properly delegates work to administrative assistants, paralegals, investigators, and interns b. Cooperates with other prosecutors assigned to the court c. Offers to assist others in the office (peers, administrative assistants, and subordinates)

Specific Examples/Comments: Dan is a team player who works well with other prosecutors and staff. He is able to work with Sheila Hansel to distribute their trial cases amongst themselves to equally distribute work and trial opportunities. He freely offers to help with problems and is pleasant to work with.

Teamwork Rating (1-5):

8. **PROFESSIONAL DEMEANOR** a. Shows proper deference to the court b. Respect for court staff c. Assertive when needed d. Interaction with members of defense bar e. Interaction with staff, law enforcement, victim/witness and others

Specific Examples/Comments: Dan is consistently professional and acts appropriately in court with court staff, the judge, and defense attorneys. He occasionally gets animated when he and a defense attorney disagree about an issue, but he has been effective in communicating his position and has been able to resolve several cases set for contested settings without having to resort to litigation.

Professional Demeanor Rating (1-5):

9. **AVAILABILITY** a. Punctuality and attendance b. Availability during work hours c. Work extra hours when needed

Specific Examples/Comments: Dan arrives at the office very early every morning and stays as long as needed to ensure that all of his work is complete. He is generally available during work hours and is willing to come in on weekends and stay late. He is ready for court every morning with time to spare.

Availability Rating (1-5):

10. **Ready to be promoted next level:**

Indicate Yes/No/Unsure

If no, why. Dan just needs more experience. There are no issues with his performance that would prevent a future promotion to Misdemeanor #2, but he needs more time as a #3.

If unsure, why. _____

11. **Issues that may delay or prevent promotion and/or advancement in the future:** _____

12. **Any additional comments:** _____

Evaluated by Supervisor:

Date: 3-18-14

Reviewed by Division/Bureau Chief:

Date:

7/15/14

Employee Signature:

Date:

3/18/14

**Any objection or rebuttal to this evaluation must be submitted in writing to your immediate supervisor within 3 working days.