



JUVENILE PROSECUTOR PERFORMANCE EVALUATION

ORIGINAL

Employee Name: Dan Simons	Assignment: 313 th 3a
Time Covered by This Evaluation: From: 1/5/2015 To: 3/31/2015	Attorney Supervisor: Martina Longoria

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. PREPARATION a. Case knowledge b. File documentation c. Witness preparation d. Subpoenas e. Motions and notices f. Pleadings g. Grand Jury presentations in determinate sentence cases h. Ability to make a tough case better i. Other

Specific Examples/Comments: File documentation is the one area under "preparation" that stands out as something significant that Dan needs to work on and has led me to assign a rating of "needs improvement" in this category. He has been very open to critique in this area and shows signs of understanding how to improve already. As Dan moves from assignment to assignment he will undoubtedly appreciate more and more the importance of documenting and often overdocumenting a file so as not to duplicate work previously done by another ADA and to protect himself from undue criticism/attack by the defense, victims, law enforcement, or supervisors. I have emphasized to Dan that if it is not in the file it may as well not have happened or been done. I would like to see him elaborate more on his RIP calls and document more detail about those conversations. We have gone over how to properly conduct a RIP call with all the information he should be gathering and documenting in that initial (and sometimes only) contact with a victim. I believe Dan will almost certainly improve in this area before he leaves this assignment.

Preparation Rating (1-5): 2

2. KNOWLEDGE OF THE LAW a. Demonstration of willingness to learn juvenile law b. Grasp of the uniqueness and purposes of the juvenile justice system c. Application of law to facts d. Spotting legal issues e. Building on earlier acquired knowledge of the law.

Specific Examples/Comments: Dan is still working on developing the big picture in criminal law, but meets expectations for his level of experience. He would benefit mightily from humbling himself enough to acknowledge what he doesn't yet know. Everyone started where he is and only from experience does one grow in this career and gain any depth of knowledge. While I find Dan is certainly willing to learn, he more often than not feigns knowledge of the law he doesn't solidly possess yet. Dan has spent a great deal of his time observing trial in adult felony court when time permits in his current assignment. This is indicative of his eagerness to learn and advance in the office.

Knowledge of the Law Rating (1-5): 3

3. **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. Working-up and prosecuting juvenile certification hearings h) Other trial techniques (i.e., technical aids, etc.)

Specific Examples/Comments: Dan has had the very unique opportunity to try a case to a jury verdict in the juvenile division. His voir dire was thought out in advance and well presented; particularly given that it was his first felony voir dire. He had a nice power point prepared to help explain issues to the venire and will do well with his technical aids in the future I believe. I was somewhat frustrated that the trial strategy we settled on in advance (not offering a defendant's self-serving statement) wasn't followed. It was a critical error which possibly cost him the case. I have also had the opportunity to observe Dan in a few court trials and hearings. His direct examinations were thorough and confidently presented. There is no doubt Dan is willing to try tough cases. In fact, it is sometimes difficult to temper Dan's zeal.

Trial Ability Rating (1-5): 3

4. **COMPLETION OF ASSIGNED TASKS** a. "To Dos" b. JOTS screenings c. Detention court and probable cause hearings. d. Officer Needs Assistance Calls e. School notifications f. Attentiveness and communications with victims g. Juvenile Consequences & Juvenile Law 101 Programs h. Other additional assignments

Specific Examples/Comments: Dan has met expectations in this area although we have discussed the need for him to better document the work he has done mainly with RIP calls, but also with other to-dos. Dan has confidently covered detention court and in fact took early initiative with the new hearing court judge at the beginning of the year to read the Juvenile Justice Code provisions for the detention/release decision and used the code to make arguments to the detention court judge.

Completion of Assignments Rating (1-5): 3

5. **ORGANIZATIONAL SKILLS** a. Time management b. File organization c. Docket management d. Attention to detail e. Systems management (i.e., managing Excel data bases, keeping up with determinate sentence probation transfers, Juvenile K drive, etc.)

Specific Examples/Comments: Dan keeps his office neat and nicely organized. I have commended him for his efforts in this area. It helps his our admin and myself locate files quickly in his absence. As noted above in #1, I would caution Dan to pay more attention to detail in documenting his files to assure supervisors are able to see he is paying attention to detail.

Organizational Skills Rating (1-5): 4

6. **JUDGMENT** a. Case evaluation skills (including recognizing the value and appropriateness of case recommendations, and having the ability to recognize rehabilitative efforts) b. Issue spotting and resolution c. Plea bargaining d. Responsiveness to critique e. Makes well reasoned decisions f. Solves unique problems

Specific Examples/Comments: Dan is still developing a sense of what a case is worth. His black and white approach to cases should fade with perspective as he advances through the office.

Judgment Rating (1-5): 3

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 has worked well with all staff during his tenure in the division.

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 the defense bar e. Interaction with staff, law enforcement, victim/witness and others

Specific Examples/Comments: Dan has been respectful and professional. He certainly has no problems asserting himself and might actually benefit from tempering his zeal and more openly listening to members of the defense bar.

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 has been available when needed and good about communicating when he is out of the building.

Availability Rating (1-5):

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

Indicate Yes/No/Unsure

If no, why. Dan was just promoted to misdemeanor 2 when he moved into the juvenile division. He will need experience working victim cases in a contested setting prior to promoting. His experience in juvenile working on felony victim cases will undoubtedly help him advance.

If unsure, why. _____

11. **Issues that may delay or prevent promotion and/or advancement in the future:** None observed

12. **Any additional comments:** None.

Evaluated by Supervisor:

Martina Longoria, 313th Court Chief  Date: 3/30/2015

Reviewed by Division/
Bureau Chief:

John Brewer, Division Chief 

Date: 3/31/15

Employee Signature:



Date: 3/31/15

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