

## Colorado Public Defender – Class Specification

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Class Title: Lead Social Worker (LCSW)  
Class Series: Social Workers  
Class Code: R49H24  
Reports to: Office Head, Chief Trial Deputy or Social Work Supervisor or Manager  
FLSA: Exempt  
Date: July 1, 2020  
Range Min/Max: \$4,864 – \$7,296 Monthly

### **GENERAL SUMMARY:**

This class is distinguished by specialized mitigation work conducted under the direction of the defense attorney on capital or other complex and serious cases. Positions in this class apply advanced skills, knowledge and expertise in identifying the presence of physical or mental health impairments, substance abuse issues, family or other social history patterns that impact the client's behavior and development.

This classification describes positions where incumbents have acquired and demonstrated an advanced level of skill and experience from having been assigned to a broad variety of cases or work assignments over an extended period of time, which allows them to be utilized in a leadership capacity for all assignments within their functional area. Positions can perform work consisting of the highest degree of difficulty and complexity, including work which requires formulation of solutions to original problems. Based on experience, positions possess and utilize an advanced set of skills encompassing some or all of the following: creation of original theories or approaches to work; coaching and support of more junior level staff, which may include conducting performance evaluations; and, providing technical and subject matter expertise to management. Positions receive supervision and guidance related to strategic issues and operate independently on a day to day basis.

### **PRIMARY DUTIES AND RESPONSIBILITIES:**

- Positions in this class serve as part of the defense team, and as such, are bound by the Colorado Rules of Professional Conduct including rules regarding the attorney-client privilege and client confidentiality. As a member of the defense team, positions gather, review and analyze extensive records and information to assist in identifying mitigating factors in a range of complex and serious cases as assigned. The following duties are performed under the direction of a defense attorney:
  - Conducts mitigation investigations in potential or filed capital or other complex and serious cases. Reviews and evaluates extensive mental health records and mitigation information; analyzes the significance of information relevant to identifying mitigating themes and circumstances in the client's life; and, incorporates the information into mitigation memorandums and presentations.
  - Works with the defense team through all phases of legal proceedings, from pretrial investigation, trial or adjudication hearings, and sentencing to develop mitigation strategies for the defense or alternative sentencing options.
  - Positions are authorized through licensure to conduct clinical assessments to identify signs of mental illness, congenital defects, developmental disabilities, neurological conditions, cognitive deficits, substance abuse or other mental or physical health issues potentially influencing the client's development, personality or behavior. Provides the

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defense team information to assist in assessing client competency, mental health capacity or the ability to comprehend the legal proceedings.

- Compiles a comprehensive and well-documented psycho-social history of the client. Gathers mitigation information through interviews the client, family members, friends and other mitigation witnesses to elicit sensitive and confidential information and identify historical influences and patterns in the client's development and behavior.
  - Assists in documenting and organizing digital and physical files of information for the defense team's reference.
  - Keeps attorneys informed of relevant issues and findings; seeks direction regarding case strategies; and, makes recommendations for further investigation and evaluation, as appropriate.
  - Assists in identifying the need for medical or mental health experts to further examine, evaluate, and testify regarding the findings and implications of the client's physical or mental health issues. Serves as a liaison with the defense team and experts to exchange relevant information, assist in the evaluation and present mitigating evidence.
  - Serves as a liaison between the attorney, client, client's family, jail/detention personnel, and medical and mental health providers to facilitate access to medical and mental health treatment services and develop recommendations for appropriate pretrial release, sentencing and post-sentencing options.
  - Spends a significant amount of time with clients suffering from a history of mental health illness or trauma. Assists the client in his or her adjustment to detention or incarceration; helps to ensure clients are able to maintain the mental and emotional competency necessary to make sound decisions and assist attorneys in their own defense.
  - Occasionally called upon to meet with new clients to identify potential mental health issues, information that will assist the attorney in addressing immediate concerns or determining a strategic course early in the case.
- Serves as a collaborative member of the defense team: Consults with attorneys on the appropriate approach to the case, including any potential ethical issues, to effectively mitigate the case, identify any behavioral health factors, support the client, and identify options for the client short of incarceration.
  - Maintains regular and timely communications with attorneys and other members of the defense team to keep apprised as to the status of the case, court dates, social support information, and progress on the case; and, to seek clarification on social work requests in order to prioritize and complete assigned tasks on the social work request within appropriate timelines.
  - Performs assignments in a lead capacity over other social work staff including, but not limited to, assigning and reviewing work; training staff on work methods; assisting in the hiring of new social workers; and, may conduct employee performance evaluations.

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- In addition to performing the functional duties of a social worker, Lead Social Workers may assist the Supervising or Chief Social Worker or Office Head in administrative duties such as, leading meetings and trainings for social workers; serving as a resource or technical expert to other staff; filling system wide, State Office needs; and, assisting in related regional office matters.
- Participates in the development and delivery of training to social workers, investigators, legal assistants, and new attorneys related to investigating, evaluating, documenting and presenting mitigating evidence. Positions train and mentor other social workers in conducting psychosocial histories and analyzing and preparing mitigation evidence in complex cases.
- Positions are authorized through licensure to provide clinical supervision of licensed social workers (LSW) in clinical practice and interns practicing social work for the purpose of obtaining or maintaining licensure. Facilitates individual and group clinical supervision to review cases and methods applied in clinical assessments, interviews and evaluations to ensure adherence to principles and practices of the profession. Provides feedback for evaluation, training and development.
- Mentors and supervises student interns enrolled in a graduate-level social work program. Assists students in learning about the diagnostic categories of mental health and relevant application within the public defense system; provides orientation and training in the social work functions of the office including development of client psychosocial assessments. Conducts regular progress reviews and formal evaluations and provides feedback to students and school staff.
- Provides assistance to other regional offices, as needed.
- Organizes daily activities to effectively manage time and resources, including the performance of work that falls outside normal business hours.
- Frequent travel within and occasionally outside the State of Colorado, including occasional overnight travel.
- Participates in intra-agency committees on behavioral health issues.
- Attends meetings and trainings as required.
- Performs other duties as assigned.

### QUALIFICATIONS

#### **Education and Experience:**

Same educational qualifications as required for the Licensed Social Worker class; licensure as a clinical social worker (LCSW) in the State of Colorado; and, experience conducting mitigation investigations in complex criminal defense cases, which included conducting clinical assessments of mental health disorders, substance abuse, and psychosocial variables affecting behavior and development of juveniles or adults.

#### **Conditions of Employment:**

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- Maintain licensure to practice clinical social work in the State of Colorado;
- Valid driver's license, proof of insurance and access to a working vehicle.

### **Knowledge** (position requirements at entry):

- Psychosocial variables affecting behavior and development;
- Evidence-based theories, models and practice;
- Knowledge of the criminal justice system, legal proceedings and the role of the public defender;
- Professional and constitutional ethics principles and practices including client confidentiality and attorney-client privilege.

### **Skills** (position requirements at entry):

- Leadership skills to effectively mentor, train, develop and guide others;
- Ability to evaluate peer performance, provide feedback on performance, and write objective and comprehensive employee evaluations;
- Strong client service focus;
- Ability to comply with rules regarding the attorney-client privilege and client confidentiality;
- Ability to apply theories and principles of clinical social work practice;
- Ability to assess implications of physical, mental health or substance abuse issues on development and behavior;
- Strong interpersonal skills to establish positive, productive and respectful working relationships with clients, client families and persons of diverse backgrounds;
- Ability to establish effective working relationships with members of the Public Defense system, witnesses, court personnel, mental health experts and others in the medical and mental health community;
- Ability to process and retain large amounts of information, manage a caseload and meet deadlines;
- Ability to handle emergency or crisis situations;
- Effective communication, verbal and written, sufficient to exchange or convey information, including interviewing and report-writing skills and receiving/giving direction;
- Proficient in standard software applications such as, Microsoft Office Word, Excel, Power Point, internet browsers, e-mail and Adobe Acrobat.

### **Physical Requirements** (*Employees must be able to meet the physical demands of the job, with or without reasonable accommodation.*)

Light Work: Exerting up to 20 pounds of force occasionally and/or up to 10 pounds of force frequently, and/or a negligible amount of force constantly to move objects. Physical demands are in excess of those of sedentary work. Light work usually requires walking or standing to a significant degree.

- Talking and hearing;
- Vision to review discovery and records.