

Colorado Public Defender – Class Description

Class Title: Deputy State Public Defender
Class Series: Attorneys
Class Code: R49P11
Reports to: Supervising or Managing Deputy SPD
Direct Reports: None
FLSA: Exempt
Date: July 1, 2022
Range Min/Max: \$5,516 - \$8,109

GENERAL SUMMARY:

Aligned with the mission of OSPD to defend and protect the rights, liberties and dignity of clients, this first level in the trial lawyer series provides culturally informed legal representation under direct supervision of more experienced lawyers while they develop fundamental skills in their practice and become proficient in managing all aspects of their caseload. Deputy Public Defenders are initially assigned to criminal misdemeanor and traffic cases in County Court where they develop skills in Colorado State Public Defender methods of litigation and motions practice and make consistent progress towards handling cases independently. Deputy Public Defenders are expected to progress in their ability to litigate felony cases in District Court; to handle juvenile cases in magistrate and District Courts; and ultimately, handle a full felony caseload and move to the Senior Deputy Public Defender classification.

PRIMARY DUTIES AND RESPONSIBILITIES:

(Employees must be able to perform the essential functions of the job, with or without reasonable accommodation.)

Case Management

- Manages a sizeable caseload in varying stages of litigation. Initially providing legal representation for indigent clients charged with criminal misdemeanor and traffic offenses in County Court, the Deputy PD progresses to a felony caseload in District Court and/or representing minors in Juvenile Court as case management, case analysis, writing skills, and litigation skills are developed to a proficient level.
- Handles all aspects of a case, from bail review, plea bargaining, pre-trial and trial preparation through disposition, and post-conviction/post-adjudication matters as assigned. Appears at regularly scheduled court dockets, and appears on behalf of client in all court hearings and related proceedings concerning assigned cases. Assists colleagues in docket and in trial, as needed.
- Maintains client contact by phone, appointments, video or institutional visits. Advises and keeps client apprised throughout legal proceedings including, but not limited to, rights the client has, attorney obligations to client, consequences of client decisions, potential case outcomes, progress of investigations, content of negotiations, and meaning of court rulings. Incorporates client case and litigation goals into advocacy. Responds promptly to client calls and correspondence; and, treats all clients with compassion and respect.
- Documents client files with all relevant information including, but not limited to, court appearances, deadlines and dates; investigation requests and materials; and, comprehensive notes of all contacts with clients and others relating to the case. Updates and closes files consistent with Public Defender policy.

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- Recognizes and takes appropriate action to address potential conflicts in accordance with rules, standards and policies. Seeks guidance and assistance to resolve ethical matters, as appropriate. Understands and consistently applies the Colorado Rules of Professional Conduct.

Case Preparation and Litigation

- Advises the client of charges and possible penalties, the client's rights, the legal process, and the scope and nature of the attorney-client relationship. Identifies the client's concerns and priorities; and, any special circumstances such as, mental health issues and/or other pending cases that may impact representation.
- Identifies potential defenses and pursues investigative and other mitigation needs with the assistance of other defense team members, as appropriate. Develops litigation strategies based on detailed discovery review, comprehensive investigation, research of legal issues and facts of the case, and the best interests of the client.
- Pursues advantageous plea agreements and seeks a joint resolution of all of the client's pending cases, including cases in other jurisdictions.
- Writes thoroughly researched and persuasive motions, briefs and pleadings. Litigates motions to obtain favorable rulings and other litigation advantages.
- Develops effective trial skills, incorporating a persuasive theory of the case throughout all aspects of trial. Demonstrates appropriate use of cause-based *voir dire*, peremptory challenges, evidence, objections, and applicable statutes and case law. Develops skills in conducting effective direct- and cross-examinations, opening statements, and closing arguments.
- Raises and litigates post-conviction claims including drafting appeals for misdemeanor, petty, traffic, and non-felony juvenile cases and motions to reconsider or correct sentence within appropriate timelines.
- Communicates with opposing counsel, judges, and others in the legal community in a persuasive and professional manner; and, exercises sound judgment to achieve desired results.
- Frequently travels to, and performs duties in courthouse(s), jails and correctional institutions.

Training

- Completes all mandatory training including, but not limited to, Basic Lawyer Training (BLT); Bootcamp; in-house training conducted by the assigned Regional Office; and, training required to maintain continuing legal education (CLE), which includes fall conference.
- Continues to develop knowledge and skills through non-mandatory trainings and trial-skill courses; second-chairing cases with more experienced lawyers; taking on more serious and complex issues and cases; and, keeping up to date on relevant laws.

Performs other duties as assigned.

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QUALIFICATIONS

Education and Experience:

Juris Doctorate (J.D.) from an ABA accredited law school and license to practice law in the State of Colorado.

Preferred Qualifications:

- Participation in a law school criminal defense clinic and/or internship with a public defender program that included representing clients in court;
- Prior experience working with indigent and economically distressed populations;
- Strong research and writing skills.

Knowledge:

- Principles and theories of criminal law, defense strategies and client advocacy;
- Understanding of ethical obligations in accordance with the Rules of Professional Conduct, ABA standards, state and federal laws;
- Criminal defense principles and techniques in case strategy preparation and presentation.

Skills and Abilities:

- Ability to advocate and provide culturally informed representation for the client;
- Ability to develop and maintain productive and respectful relationships with clients, colleagues and others of diverse backgrounds;
- Ability to apply the law to the issues in a case.
- Ability to process, analyze, retain and apply large amounts of information;
- Ability to work with multidisciplinary teams;
- Strong attention to detail;
- Ability to maintain concentration over an extended period of time;
- Exceptional verbal and written communications skills;
- Strong interpersonal skills;
- Ability to appear promptly to all court dates and meet all court-imposed deadlines;
- Strong organizational, administrative and time management skills;
- Ability to prioritize work;
- Ability to work effectively in a highly stressful environment over long periods of time;
- Ability to complete multiple tasks and assignments with frequent interruptions;
- Proficient in standard software applications such as, Microsoft Office Word, Excel, Power Point, internet browsers and e-mail, and ability to learn Adobe Acrobat;
- Use of demonstrative aids such as, charts, pictures and audio/visual software and equipment.

Physical Requirements

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;
- Ability to sit for extended periods of time;
- Vision to include near acuity, far acuity, depth perception, color vision, and ability to adjust focus.