



Office of the State Public Defender
Position Duty Statement
HR- 5795 (01/2026)

Proposed

Classification Title Attorney III		Department Office of the State Public Defender (OSPD)	
Working Title Deputy State Public Defender (DSPD)		Office/Unit/Section/Geographic Location Appellate/ Oakland-Sacramento	
Position Number 426-015-5795-xxx		Name and Effective Date	
WWG: SE	CBID: R02	Tenure: P	Time Base: FT

General Statement: Under the general direction of an Attorney Supervisor, the DSPD performs a wide variety of difficult legal work with increased independence and responsibility representing individuals convicted of non-capital and capital offenses in direct appeals, petitions for rehearing, petitions for writ of mandate and in other related proceedings before California superior courts, the California Courts of Appeal and the California Supreme Court, as well as petitions for certiorari to the United States Supreme Court.

Specific Tasks [Essential (E) / Marginal (M) Functions]

- 45% (E) Representation of individuals, including those sentenced to death, in direct appeals and petitions for rehearing before the California Supreme Court as well as petitions for certiorari to the United States Supreme Court; incumbents possess sufficient experience in drafting the pleadings necessary for such proceedings (including opening briefs, responsive pleadings, and ancillary motions) to allow them to undertake significant roles in the development and presentation of complex factual and legal issues for the California Supreme Court and the United States Supreme Court; delivers oral argument presentations to the California Supreme Court.
- 35% (E) Representation of individuals, including those sentenced to death, in related proceedings in the superior courts of California as well as the courts of appeal when necessary; incumbents possess sufficient experience in drafting the pleadings necessary for such proceedings to allow them to undertake significant roles in the development and presentation of complex factual and legal issues in the superior courts of California.
- 10% (E) Representation of individuals, including those sentenced to death, in the preparation of petitions for writ of habeas corpus and related pleadings before Superior Court, Courts of Appeal and California Supreme Court, particularly pursuant to the Racial Justice Act (RJA), and representation in all litigation following from any evidentiary hearings ordered in relation to such petitions; incumbents possess sufficient experience in drafting the pleadings necessary to prepare a petition for writ of habeas corpus to allow them to undertake significant roles in the development of factual and legal issues in such petitions; incumbents also perform tasks related to evidentiary hearings, including motions in limine, discovery motions, pre and post-hearing briefings, preparation and presentation of witnesses, and appeals to the California Supreme Court of factual findings and legal conclusions entered by referees.

- 5% (E) Incumbents are expected to perform any appropriate actions necessary in order to protect a client's ability to emotionally tolerate the process involved in capital postconviction litigation. This includes travel to visit clients at prisons across the State. Incumbents are responsible for maintaining frequent communication with their clients (and the clients' family) in the development of an attorney-client relationship based on trust.
- 5% (M) Other related duties as required, including but not limited to staying apprised of relevant legal developments, and assisting colleagues in brainstorming issues.

Supervision Received

The DSPD reports to an Attorney Supervisor. However, direction and assignments may also come from Attorney IV, Assistant Chief Counsel, the Chief Deputy State Public Defender, or the State Public Defender.

Supervision Exercised

None.

Administrative Responsibility

None.

Personal Contacts

The DSPD has continuous contact with OSPD attorneys, management staff, and other OSPD employees, and regular contact with clients (generally housed in prisons across the State), clerks of various county courts and the California Supreme Court, employees at prison institutions where OSPD clients are housed, and other government agencies. May also include personal contact with witnesses and out-of-state public, private, and government agencies.

Actions and Consequences

The DSPD performs high-quality attorney tasks, and failure to adequately perform these tasks could jeopardize a client's state and federal constitutional rights and negatively reflect on the reputation of OSPD and its mission to provide high-quality representation to its clients.

Functional Requirements

Full-time teleworking is permitted for California residents, consistent with State policy. Business travel reimbursements consider an employee's designated Headquarters Location, primary residence, and the policy may be subject to change by the California Department of Human Resources. All commute expenses to the headquarters location will be the responsibility of the incumbent. Work in the office includes time sitting under fluorescent lighting with sufficient temperature control and utilizes typical office equipment, such as, but not limited to, telecommunications equipment, computers, photocopiers/scanners, and fax machines. The ability to occasionally lift and transport small office equipment is required.

The workday for the DSPD is not a typical 8:00 to 5:00 schedule. In meeting court deadlines or other issues, the DSPD is expected to work the necessary hours in order to get the job done. This may include weekends and holidays at various phases of the appeal.

Desired Qualifications

- Knowledge of legal principles and their application to criminal law and appellate proceedings.
- Knowledge and experience with the RJA and some trial experience or experience litigating writs of habeas corpus is preferred.
- Knowledge and experience with appellate representation, especially capital representation, preferred.
- Knowledge of the scope and character of California statutory law and provisions of the California Constitution and the United States Constitution.
- Knowledge of legal research methods and performing research.
- Familiarity with representing incarcerated clients.
- Knowledge of rules of evidence and conduct of proceedings in trial and appellate courts of California and the United States and the duties and powers of the State Public Defender.
- Knowledge of computer programs such as Word, Microsoft Office, SharePoint, Teams and Adobe and ability to use such programs in an efficient and effective manner.
- Ability to prepare, present, and handle legal cases.
- Ability to perform research and investigation.
- Ability to analyze difficult and complex legal problems.
- Ability to apply legal principles and precedents to particular sets of facts.
- Experience with presenting statements of facts, law, and argument clearly and logically in written and oral form.
- Ability to analyze transcripts and decisions.
- Ability to handle difficult legal correspondence.
- Ability to edit and provide feedback on other attorneys' written work.
- Ability to monitor developments in the law and consider their impact on the agency's cases.
- Ability to direct the work of clerical and professional assistants.
- Ability to analyze situations accurately and adopt an effective course of action.
- Ability to work in a team environment.
- Ability to develop and maintain good working relations with all levels of staff.
- Ability to maintain security and confidentiality of privileged information in compliance with applicable laws.
- Familiarity with the impact of race on OSPD's clients and on the criminal legal system as a whole.

Special Requirements

- This position is designated under the Conflict-of-Interest (COI) Code and is responsible for making or participating in the making of governmental financial decisions that may require the disclosure of personal financial interests. The incumbent is required to complete a Form 700 within 30 days of appointment and annually.
- The incumbent is expected to always maintain confidentiality due to the access to sensitive information and the nature of the work performed.
- Due to the nature of the position, appellate attorneys are sometimes required to work nights, weekends and other non-traditional schedules. Absent unusual circumstances, certain duties must be performed in person, such as oral arguments, moot courts, and visiting detention facilities. For this position, it will be the responsibility of the attorney, in coordination with their supervisor, to ensure that any remote work they perform complies with the ethical obligations of attorneys and court requirements.

- The position requires traveling to conferences, meetings, and trainings up to 10% of the time and includes occasional overnight travel. Travel is primarily by automobile but also includes occasional train, airplane, or public transportation.

I have read and understand the duties listed above, and I can perform these duties with or without reasonable accommodation. (If you believe reasonable accommodation is necessary, discuss your concerns with the supervisor).

Printed Name

Employee Signature

Date

I certify that this duty statement represents the current and accurate description of the essential functions of this position. I have discussed the duties of this position with and have provided a copy of this duty statement to the employee named above.

Printed Name

Supervisor Signature

Date



Office of the State Public Defender
Position Duty Statement
HR- 5778 (01/2026)

Proposed

Classification Title Attorney		Department Office of the State Public Defender (OSPD)	
Working Title Associate Deputy State Public Defender (Assoc. DSPD)		Office/Unit/Section/Geographic Location Appellate/ Oakland-Sacramento	
Position Number 426-015-5778-xxx		Name and Effective Date	
WWG: SE	CBID: R02	Tenure: P	Time Base: FT

General Statement: Under the direct supervision of an Attorney Supervisor or designee, the Assoc. DSPD performs a wide variety of difficult legal work representing individuals convicted of non-capital and capital offenses in direct appeals, petitions for stay and remand, petitions for writ of mandate, Racial Justice Act (RJA) habeas petitions, and in other related proceedings before California superior courts, the California Courts of Appeal and the California Supreme Court, as well as petitions for certiorari to the United States Supreme Court. Duties include but are not limited to the following:

Specific Tasks [Essential (E) / Marginal (M) Functions]

- 50% (E) Representation of individuals convicted of criminal offenses in their appeals before the California Courts of Appeal (and related proceedings in the superior courts of California) as well as petitions for certiorari to the United States Supreme Court; drafts pleadings including opening briefs, responsive pleadings and ancillary motions; undertakes a significant role in the development and presentation of complex factual and legal issues for the California Courts of Appeal and the United States Supreme Court; delivers oral argument presentations to the California Court of Appeal; develops and fosters the attorney-client relationship through visits to State Prisons and frequent correspondence (and other forms of communication) with the client and the client's family.
- 30% (E) Conducts legal research and drafts legal arguments in direct appeals and petitions for rehearing before the California Supreme Court (and related proceedings in the superior courts of California) as well as petitions for certiorari to the United States Supreme Court in capital cases.
- 10% (E) Investigates and assists with the preparation of petitions for writs of habeas corpus, particularly pursuant to the RJA, and litigation related to evidentiary hearings that are ordered in relation to petitions for writs of habeas corpus, including motions in limine, discovery motions, pre- and post-hearing briefings, and preparation and presentation of witnesses.
- 5% (E) Incumbents are expected to perform any appropriate actions necessary in order to protect a client's ability to emotionally tolerate the process involved in capital postconviction litigation. This includes travel to visit clients at prisons across the State. Incumbents are responsible for maintaining frequent communication with their clients (and the clients' family) in the development of an attorney-client relationship based on trust.

- 5% (M) Other related duties as required, including but not limited to staying apprised of relevant legal developments, and assisting colleagues in brainstorming issues.

Supervision Received

The Assoc. DSPD is supervised by an Attorney Supervisor and may receive assignments and direction from other OSPD attorney classifications.

Supervision Exercised

None.

Administrative Responsibility

None.

Personal Contacts

The Assoc. DSPD has continuous contact with OSPD attorneys, management staff, and other OSPD employees, and regular contact with clients (generally housed in prisons across the State), clerks of various county courts and the California Supreme Court, employees at prison institutions where OSPD clients are housed, and other government agencies. May also include personal contact with witnesses and out-of-state public, private, and government agencies.

Actions and Consequences

The Assoc. DSPD performs necessary attorney tasks, and failure adequately to perform tasks as directed could undermine the Department's ability to protect a client's state and federal constitutional rights and thereby negatively impact OSPD clients' life outcomes and the reputation of OSPD and its mission to provide high quality representation to its clients.

Functional Requirements

Full-time teleworking is permitted, for California residents, consistent with State policy. Business travel reimbursements consider an employee's designated Headquarters Location and primary residence, and the policy may be subject to change by the California Department of Human Resources. All commute expenses to the headquartered location will be the responsibility of the incumbent. Work in the office includes time sitting under fluorescent lighting with sufficient temperature control and utilizes typical office equipment, such as, but not limited to, telecommunications equipment, computers, photocopiers/scanners, and fax machines. The ability to occasionally lift and transport small office equipment is required.

The workday for the Assoc. DSPD is not a typical 8:00 to 5:00 schedule. In meeting the court deadlines or other issues, the Assoc. DSPD is expected to work the necessary hours in order to get the job done. This may include weekends and holidays at various phases of the appeal.

Desired Qualifications

- Knowledge of legal research methods and performing research.
- Knowledge and experience with the RJA and some trial experience or experience litigating writs of habeas corpus is preferred.
- Knowledge and experience with appellate representation, especially capital representation, is preferred.
- Knowledge of legal principles and their application.
- Knowledge of the scope and character of California statutory law and the provisions of the California Constitution.

- Knowledge of principles of administrative, constitutional, and criminal law.
- Knowledge of trial and hearing procedures and rules of evidence.
- Familiarity with representing incarcerated clients.
- Experience performing research and investigation in criminal cases.
- Experience with presenting statements of facts and law, as well as legal arguments clearly and logically in written and oral form.
- Knowledge of rules of evidence and conduct of proceedings in trial and appellate courts of California and the United States, and the duties and powers of the State Public Defender.
- Knowledge of computer programs such as Word, Microsoft Office, SharePoint, Teams, and Adobe, and ability to use such programs in an efficient and effective manner.
- Ability to perform research and investigation.
- Ability to analyze, appraise, and apply legal principles, facts, and precedents to legal problems.
- Ability to present statements of fact, law and argument clearly and logically in written and oral form.
- Ability to prepare, present, and handle legal cases.
- Ability to prepare correspondence and memoranda involving the explanation of legal matters.
- Ability to analyze situations accurately and adopt an effective course of action.
- Ability to work in a team environment.
- Ability to handle difficult legal correspondence.
- Ability to work closely with other attorneys, legal support staff, administration, and Information Services.
- Ability to develop and maintain professional and respectful relations with all levels of staff.
- Ability to maintain security and confidentiality of privileged information in compliance with applicable laws
- Familiarity with the impact of race on OSPD's clients and on the criminal legal system as a whole.

Special Requirements

- This position is designated under the Conflict-of-Interest (COI) Code and is responsible for making or participating in the making of governmental financial decisions that may require the disclosure of personal financial interests. The incumbent is required to complete a Form 700 within 30 days of appointment and annually.
- The incumbent is expected to always maintain confidentiality due to the access to sensitive information and the nature of the work performed.
- Due to the nature of the position, appellate attorneys are sometimes required to work nights, weekends, and other non-traditional schedules. Absent unusual circumstances, certain duties must be performed in person, such as oral arguments, moot courts, and visiting detention facilities. For this position, it will be the responsibility of the attorney, in coordination with their supervisor, to ensure that any remote work they perform complies with the ethical obligations of attorneys and court requirements.
- The position requires traveling to conferences, meetings, and trainings up to 10% of the time and includes occasional overnight travel. Travel is primarily by automobile but also includes occasional train, airplane, or public transportation.

I have read and understand the duties listed above, and I can perform these duties with or without reasonable accommodation. (If you believe reasonable accommodation is necessary, discuss your concerns with the supervisor).

Printed Name

Employee Signature

Date

I certify that this duty statement represents the current and accurate description of the essential functions of this position. I have discussed the duties of this position with and have provided a copy of this duty statement to the employee named above.

Printed Name

Supervisor Signature

Date