



Classification Title Attorney Supervisor		Department Office of the State Public Defender (OSPD)	
Working Title Director of Non-Capital Appellate Representation		Office/Unit/Section/Geographic Location Appellate Division Sacramento/Oakland	
Position Number 426-015-5749-022		Name and Effective Date enter text	
WWG: SE	CBID S02	Tenure: P	Time Base: FT

General Statement: The Director of Non-Capital Appellate Representation is responsible for the ongoing development and implementation of the Non-Capital Appellate Program. The goals of the program are to provide high-quality client-centered representation while developing newer OSPD attorneys into excellent capital attorneys. The person in the role directs and coordinates the selection and assignment of non-capital appeals to individual attorneys, manages the logistics of the program using a written Standard Operating Procedure (SOP), manages the non-capital moot court program; and supervises the work done by the assigned attorneys in preparing, drafting, and arguing non-capital appeals.

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

45% **Legal Supervision:**
 Provides comprehensive oversight of OSPD's non-capital appellate caseload, ensuring consistent, high-quality representation across all cases. Directly supervises an Attorney IV (Non-Capital Attorney) who assists in staffing the program. When serving as a case supervisor, provides hands-on guidance to assigned attorneys at every stage from case theory development and discrete writing projects through oral argument preparation.

When non-capital cases are supervised by other OSPD attorney supervisors, they serve as a resource and guide to those supervisors, providing substantive legal guidance, supervisory consultation, and support as needed to ensure case quality and consistency with program standards. In all instances, retains final review authority over non-capital appellate briefs.

Participates in Team Leader meetings to assess case progress, addresses supervision challenges, and supports attorney development. Collaborates with Team Leaders to evaluate attorney performance, including jointly drafting probation reports and performance appraisals for attorneys and supervisors working on non-capital cases. Addresses performance concerns proactively and directly with deputies as needed.

Promotes equitable practices in decision-making and collaborating on case teams. Approaches interactions with a Diversity, Equity, Inclusion, and Belonging (DEIB) lens to advance equity across the Non-Capital Appellate Program; and shares responsibility with other Team Leaders for OSPD's progress on DEIB and race-equity initiatives

25% **Strategic Planning and Program Management:**

Designs, implements, and continuously refines a strategic plan for the Non-Capital Appellate Program with three core objectives: delivering high-quality, client-centered representation; developing attorneys toward capital qualification; and integrating newer attorneys into OSPD practice.

In consultation with the Non-Capital Attorney, determines case selection criteria, attorney caseload capacity, and program structure and resource needs. In consultation with the State Public Defender, Chief Deputy, and Assistant Chief Counsel, manages the ongoing balance between non-capital cases, capital cases, and other OSPD responsibilities, including case assignments and expert and resource engagement.

Leads development of a written SOP for non-capital appellate brief production, including timelines and formatting standards, in collaboration with Upper Management and Caseworker Supervisors. Maintains and leverages OSPD's case management system to track cases, monitor attorney progress toward capital qualification, and manage graduation timelines. Coordinates with the Amicus Director and Systemic Issues Director on the presentation of issues with broader implications.

20% **Program Development and Outreach:**

Builds and sustains relationships with appellate projects and partner agencies to identify non-capital cases appropriate for OSPD representation, prioritizing cases that develop the skills and knowledge attorneys need to progress toward capital work. Facilitates appointments in identified cases.

Coordinates with the Director of Professional Development to ensure attorneys with limited appellate experience receive structured, comprehensive training in legal research and writing, appellate advocacy, and substantive areas relevant to both non-capital and capital post-conviction practice. Conducts outreach with appellate projects related to overlapping training and development needs.

Manages OSPD's non-capital moot court program in consultation with the Chief Deputy and other directors. Partners with the Chief Deputy and Director of Professional Development to maximize oral advocacy training and ensure all interested attorneys have a meaningful opportunity to participate in moot court.

10% **Other Projects as Needed, Including the possibility of Direct Representation:**

As needed, provides expertise to other OSPD projects. Occasionally provides direct representation to meet agency needs.

Supervision Received

The incumbent reports directly to the Assistant Chief Counsel or their designee.

Supervision Exercised

Supervises multiple Attorneys on projects, including an Attorney IV.

Administrative Responsibility

Various, as described in the Essential Functions section above at the supervisor level.

Personal Contacts

Continuous contact with management, attorneys and legal support staff, Human Resources, Business Services, and other OSPD employees of all levels, and regular contact with external agencies including government agencies, county public defender offices, not for profits, legal assistance providers, law schools, job recruitment fairs, and attorneys and legal employers.

Actions and Consequences

Failure to perform the duties of this position effectively could compromise the ability of OSPD staff to uphold the department mission, potentially jeopardize our clients' state and federal constitutional rights and adversely affect OSPD's reputation for delivering high-quality legal representation.

Functional Requirements

Full-time teleworking is permitted, consistent with State policy. Business travel reimbursements consider an employee's designated Headquarters Location and primary residence. 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. When in office, incumbent utilizes typical office equipment such as, but not limited to, telecommunications equipment, computers, and photocopiers/scanner. Occasional transport of small office equipment.

This position is designated under Work Week Group SE. Salary is intended to cover all hours worked. Employees are expected to work a minimum of 40 hours per week and additional hours as needed to meet workload and operational needs. This role may require evening and weekend hours to meet client and case needs.

Employees are expected to maintain a regular daily work presence consistent with an eight-hour workday. Core hours and availability are determined by management based on operational needs. During core hours, employees must be available, reachable, and responsive for meetings, collaboration, and other work-related responsibilities, unless otherwise authorized by management. Work outside of core hours may include independent or focused tasks.

Desired Qualifications

Legal Expertise

- Advanced knowledge of California criminal appellate law and procedure, including issue identification, record analysis, constitutional claims, and post-conviction remedies.
- Mastery of rules of evidence and court procedures in California and federal trial and appellate courts, including the duties and powers of the State Public Defender.
- Experience independently managing complex appeals from intake through oral argument, producing high-quality written work product under deadline.
- Ability to identify and develop legal claims with systemic implications that cut across individual cases, in collaboration with OSPD staff and outside counsel.
- Proficiency in legal research methods and relevant technology.
- Knowledge of the law and procedures impacting death penalty cases in California at the trial and appellate levels.

Attorney Development & Supervision

- Demonstrated experience supervising attorneys at varying skill levels, providing substantive legal feedback, assigning and monitoring work, and ensuring effective case progress.
- Proven ability to mentor and coach attorneys, including working with lawyers to ensure effective, consistent and respectful communication with clients in all aspects of their representation.
- Ability to model and cultivate a team culture of legal excellence, accountability, and professional growth.
- Ability to initiate, review, and monitor personnel matters in accordance with applicable policies and guidelines.

Collaboration & Leadership

- Proven ability to work effectively across all levels of an organization in a collaborative and productive manner.
- Ability to partner with outside counsel and agencies to develop comprehensive strategies that advance client representation.
- Commitment to equal opportunity, diversity, and maintaining a respectful, harassment-free workplace, in compliance with state and department policies and personnel rules.
- Ability to maintain confidentiality and security of privileged information in compliance with applicable law.

Special Personal Requirements:

Possession of high-level expertise or excellence in areas relevant to the representation of OSPD clients or the provision of improved representation of indigent defendants generally, including the ability to conduct creative legal research and to assist others in doing so; possession of an in-depth knowledge of relevant areas of the law and an ability to and willingness to work with others to share that knowledge.

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 position requires traveling to conferences, meetings, and training 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.
- The incumbent is expected to always maintain confidentiality due to the access to sensitive information and the nature of the work performed.
- As part of OSPD leadership, the incumbent is expected to contribute to a discrimination-free, inclusive, safe, and secure work environment that values diverse cultures, perspectives, and experiences by applying DEIB and Equal Employment Opportunity principles including but not limited to complying with state and federal laws, rules, regulations, bargaining unit contracts and OSPD policies in all matters including contracting, hiring, staff development, and staff supervision; complete annual DEIB, anti-bias and racial equity training and applying what is learned; serve as an ally to staff by amplifying employee voices and elevating the experiences of underrepresented staff.
- 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.

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