



Office of the State Public Defender
Position Duty Statement
HR- 5778 (09/2026)

Proposed

Classification Title Attorney		Department Office of the State Public Defender (OSPD)	
Working Title Barry P. Helft Fellow		Office/Unit/Section/Geographic Location Appellate Division/ Oakland-Sacramento	
Position Number 426-015-5778-901		Name and Effective Date	
WWG: SE	CBID: R02	Tenure: Limited-Term	Time Base: Full-Time

General Statement: The Barry P. Helft Fellow Attorney position is a limited-term appointment in OSPD's Appellate Division Fellowship Program. Fellow Attorneys are employed at will, and the total term of employment is up 12 to 24 months, subject to funding availability. Under direction from an Attorney Supervisor, or a designee, incumbents perform a wide variety of legal work including: (1) providing high quality and effective assistance of counsel to indigent persons who are appealing their criminal convictions in the California Courts of Appeal and/or the California Supreme Court; (2) drafting amicus briefs and/or letters filed by OSPD on matters crucial to the development of criminal law as it relates to indigent defendants; (3) assisting in developing arguments in support of systemic litigation to address inequities in the criminal justice system. Duties include but are not limited to the following:

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

- 45% (E) Conducts legal research and drafts legal arguments in direct appeals, amicus briefs and/or letters, and petitions for rehearing before the California Supreme court (and related proceedings in the superior courts and District Courts of Appeal in California) as well as petitions for certiorari to the United States Supreme Court.
- 40% (E) Representation of individuals convicted of criminal offenses in their appeal before the California Courts of Appeal (and related proceedings in the superior courts of California) as well as petitions for review in the California Supreme Court and petitions for certiorari to the United States Supreme Court; drafts pleadings including opening briefs, responsive pleadings and ancillary motions; undertakes 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 Courts of Appeal; develops and fosters the attorney-client relationship through visits to high security State Penitentiaries (as public health rules permit), and frequent correspondence (and other forms of communication) with the client and the client's family.
- 10% (E) Performs duties including, but not limited to, legal research, legal drafting, project planning, and inter/intra office presentation related to projects in support of OSPD's amicus, systemic issues, legal developments, and other special sections.
- 5% (M) Other job-related duties and tasks as assigned.

Supervision Received

A Fellow Attorney 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

A Fellow Attorney performs legal tasks necessary in order to protect a client's rights and promote a client's ability to tolerate emotionally the appellate process. This includes frequent client visitation to high security State Penitentiaries (as public health rules permit). A Barry P. Helft Fellow (Legal Counsel) is responsible for maintaining frequent communication with clients (and the clients' family) in the development of an attorney-client relationship based on trust.

Actions and Consequences

A Fellow Attorney is an entry-level attorney position; however, failure to adequately perform tasks as directed could undermine the Department's ability to protect a client's state and federal constitutional rights and thereby negatively reflect the reputation of OSPD and its mission to provide high quality representation to its clients.

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.

The workday for a Fellow Attorney is expected to maintain a regular daily work presence consistent with an eight-hour workday, with availability during core hours (9:00 AM to 5:00 PM). During core hours, employees must be available, reachable, and responsive for meetings, collaboration, and other work-related responsibilities, unless otherwise authorized by management.

Work performed outside of core hours may include independent or focused tasks. When meeting court deadlines or other urgent issues, the Fellow Attorney is expected to work the necessary hours to get the job done, which may include weekends and holidays.

Desired Qualifications

- Knowledge of legal research methods and performing research.
- 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.
- Knowledge of computer programs in an efficient and effective manner.
- Ability to perform research and investigation.
- Ability to analyze, appraise, and apply legal principles, 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 correspondence and legal memorandums involving the explanation of legal matters.
- 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.

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.
- 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.
- 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