



Office of the State Public Defender
Position Duty Statement
HR-5780 (09/2026)

Proposed

Classification Title Attorney IV		Department Office of the State Public Defender (OSPD)	
Working Title Non-Capital Training Attorney		Office/Unit/Section/Geographic Location Appellate Division Sacramento/Oakland	
Position Number 426-015-5780-031		Name and Effective Date enter text	
WWG: SE	CBID: R02	Tenure: P	Time Base: FT

General Statement: Under the general direction of the Director of Non-Capital Appellate Representation, the Non-Capital Training Attorney supports the development of attorneys at the Office of the State Public Defender (OSPD) in meeting the qualifications to be lead counsel in death penalty cases. The Non-Capital Training Attorney will work closely with individual attorneys at OSPD on handling all aspects of their non-capital appeals and other postconviction matters, focusing on high quality, client-centered representation. The Non-Capital Training Attorney is expected to work collaboratively with all staff, take the initiative in improving OSPD's ability to represent its clients by providing support and mentorship, and promote equitable practices across OSPD programs and operations. Working with the Director of Non-Capital Appellate Representation, the Non-Capital Training Attorney will act as a resource for legal staff on non-capital appellate practice in California and identify training needs. The Non-Capital Training Attorney will also assist the Director of Non-Capital Appellate Representation with managing OSPD's Non-Capital Appellate Representation Program. Duties include but are not limited to the following:

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

- 35% (E) Provides ongoing training and development of legal skills for attorneys in OSPD's Non-Capital Appellate Representation Program by assisting attorneys with handling their non-capital appeals and postconviction matters. This includes an independent review of transcripts and case records and regular consultations with the attorney. Works closely with each attorney to help them (1) develop their legal research, writing, and analysis skills; (2) establish a productive relationship with the client; (3) complete the record on appeal; (4) identify issues to raise on appeal; (5) determine case strategy; and (6) craft legal arguments. Sustains culturally competent communication with clients, stakeholders, and colleagues.
- 20% (E) Provides careful and timely review of research memos and pleadings (including extension of time requests, motions, applications, briefing, and petitions) in assigned non-capital cases. Provides feedback to the attorney on writing and analysis. Works collaboratively with the attorney to implement suggestions and edits. Supports the attorney's skills development while ensuring the client receives excellent appellate representation.
- 15% (E) Assists the Director of Non-Capital Appellate Representation with managing the Non-Capital Appellate Representation Program. This includes consulting on case selection for attorneys, attorney caseload capacity, and the program's structure and resource needs.

Identifies relevant trainings and resource materials for attorneys in the program. Works with the Director of Non-Capital Appellate Representation, the Director of Professional Development, and executive management to identify unmet legal training needs and develop solutions.

- 10% (E) Assists the Director of Non-Capital Appellate Representation with OSPD's non-capital moot court program. This includes coordinating moot court sessions, helping the attorney on the case prepare for oral argument, and providing feedback on presentation and legal arguments.
- 10% (E) Monitors legal developments, focusing on issues raised in OSPD's non-capital cases. Acts as an expert on criminal defense appellate practice in California, providing advice to office legal staff and other attorneys to ensure excellent legal representation. Works with the Director of Non-Capital Appellate Representation to identify systemic and statewide issues for the Directors of Amicus Litigation and OSPD's Indigent Defense Improvement Division.
- 10% (M) Other related duties and tasks as assigned. This may include client visits and other required travel as necessary to perform job functions. If needed, may act as lead counsel in more complex appeals, including capital appeals, with other attorneys as team members.

Supervision Received

The Non-Capital Training Attorney reports to the Director of Non-Capital Appellate Representation. However, direction and assignments may also come from the Attorney, Assistant Chief Counsel, Chief Deputy State Public Defender, or the State Public Defender.

Supervision Exercised

None.

Administrative Responsibility

The Non-Capital Training Attorney works with management staff to develop and monitor training goals and objectives and communicates with management staff about progress toward those goals.

Personal Contacts

The Non-Capital Training Attorney has continuous contact with OSPD attorneys, management staff, and other OSPD employees, and contact with clients, clerks of various county courts and the California Supreme Court, employees at prison institutions where OSPD clients are housed, and other government agencies. Contacts may also include personal contact with clients, witnesses, and out-of-state public, private, and government agencies.

Actions and Consequences

The Non-Capital Training Attorney performs high-level attorney tasks. 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, 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 headquartered location will be the responsibility of the incumbent. In meeting court deadlines or other issues, an Attorney IV is expected to work the necessary hours to get the job done. This may include weekends and holidays. Work in the office includes time sitting under fluorescent lighting with sufficient temperature control and utilizing typical office equipment such as, but not limited to, telecommunications equipment, computers, photocopies/scanners, and fax machines. The ability to occasionally lift and transport small office equipment is required.

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.

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

- Knowledge of legal principles and their application to criminal law and appellate proceedings.
- Knowledge of the scope and character of California statutory law and provisions of the California Constitution and the United States Constitution.
- Knowledge of California criminal defense appellate practice in non-capital appeals and postconviction proceedings.
- Knowledge of capital litigation.
- Ability to effectively review case records, analyze difficult and complex legal problems, and apply legal principles and precedents to legal problems.
- Ability to craft clear and effective written pleadings in complex appellate cases.
- Ability to mentor other attorneys through all stages of a non-capital appeal and develop their appellate practice skills.
- 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 foster an inclusive, collaborative, and respectful work environment for all levels of staff.
- Ability to exercise good judgment and professionalism.
- Experience litigating criminal cases in California appellate courts, including experience effectively litigating complex appellate cases independently.
- Experience supervising or mentoring attorneys, interns, or law students.
- Experience providing effective feedback on motions, briefs, petitions, and oral arguments and supporting skill building.
- Experience preparing training materials, legal outlines, practice guides, and/or training programs for attorneys.
- Experience building trusting relationships with a diverse array of clients, some of whom may have serious mental illness, substance use disorder, and/or intellectual disabilities.
- Experience working in a team environment.
- Experience maintaining security and confidentiality of privileged information in compliance with ethical rules and applicable laws.

- Familiarity with the impact of race on criminal trials and appeals, on persons subject to incarceration, and on the criminal legal system as a whole.
- Strong written and oral communication skills.

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. Attorneys who act as contract managers or participate in contracting activities (such as serving on vendor panels or providing recommendations, etc.)
- The position requires occasional travel to court hearings, 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.
- 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 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
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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
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