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FLSA: EXEMPT  
Bargaining Unit: CA  
JCN: 5301/5302/5303/5304

## DEPUTY PUBLIC DEFENDER I-IV (DEEP CLASS)

### DEFINITION

Under general supervision (Deputy Public Defender I and II), direction (Deputy Public Defender III), and general direction (Deputy Public Defender IV), performs professional legal duties in support of the Public Defender's Office; provides public defense and legal services for court-appointed cases; performs legal research; plans and coordinates investigations for the legal defense cases; and performs related duties as assigned.

### SUPERVISION RECEIVED AND EXERCISED

Receives general supervision (Deputy Public Defender I and II), direction (Deputy Public Defender III) and general direction (Deputy Public Defender IV) from the Public Defender and the Assistant Public Defender. All levels exercise no supervision over staff. May provide training to less experienced staff, as directed by management.

### CLASS CHARACTERISTICS

This is a multi-level professional classification series in which incumbents may be hired to any of four (4) levels, depending upon experience, proficiency gained, and the complexity and sensitivity of assigned cases. The work may be related to the defense of cases in a number of legal specialty areas. Incumbents must be a member in good standing of the California State Bar Association. Positions in these classes are flexibly staffed and may be filled by advancement from the lower-level classification.

*Deputy Public Defender I:* This is the first working level class in the Deputy Public Defender series. Incumbents perform routine case management and defense of misdemeanor cases or less complex felony cases under close supervision, within the Public Defender's Office. The work is usually supervised while in progress and fits an established structure or pattern. Exceptions or changes in procedures are explained in detail as they arise. As experience is gained, assignments become more varied and are performed with greater independence.

*Deputy Public Defender II:* This is the second working level class in the Deputy Public Defender series performing professional legal work for a broader range cases; typically, all misdemeanors and some felony cases within the Public Defender's Office. Incumbents regularly work on cases that are varied, requiring considerable discretion and independent judgment. Positions at this level receive only occasional instruction or assistance as new or unusual situations arise and are fully aware of the operating procedures and policies of the work unit. Work is typically reviewed upon completion for soundness, appropriateness, and conformity to policy and requirements. As experience is gained, assignments become more varied and are performed with greater independence.

*Deputy Public Defender III:* This is the third working, and full journey-level classification in the Deputy Public Defender series responsible for performing the full range of professional legal work within the Public Defender's Office; typical cases include those assigned to the Deputy Public Defender II level, as well as additional ongoing assignments to investigate and litigate complicated criminal cases. Positions in this classification rely on experience and judgment to ensure the efficient and effective defense of assigned cases. The work involves problem-solving of unique issues or increasingly complex problems

without precedent and/or structure. Assignments are given with general guidelines, and incumbents are responsible for establishing objectives, timelines, and methods to deliver legal services. Work is typically reviewed upon completion for soundness, appropriateness, and conformity to policy and requirements. As experience is gained, assignments become more varied and are performed with greater independence.

*Deputy Public Defender IV:* This is the fourth working, and highest (non-lead or supervisor) advanced-level, classification in the Deputy Public Defender series responsible for performing the more complex and difficult professional legal work within the Public Defender's Office; typical cases include regular assignment to review, analyze and litigate complicated, high profile criminal cases or an assignment to a specialized caseload. Positions in this classification have extensive experience and judgment to ensure the efficient and effective defense of assigned cases. The work involves problem-solving of unique issues or increasingly complex problems without precedent and/or structure. Assignments are given with general guidelines and incumbents are responsible for establishing objectives, timelines, and methods to deliver legal services. Work is typically reviewed upon completion for soundness, appropriateness, and conformity to policy and requirements. A demonstrated ability to successfully defend complex and high penalty cases with minimal supervision is required for advancement to the level of Deputy Public Defender IV.

These classes are distinguished from the Sr. Deputy Public Defender in that the latter provides technical and functional lead direction to an assigned team of Deputy Public Defenders.

Positions in the Deputy Public Defender class series are flexibly staffed and positions at the II-level are normally filled by advancement from the I-level; similarly, positions at the III-level are normally filled by advancement from the II-level; and positions at the IV-level are normally filled by the III-level. Progression to each higher classification level is subject to all of the following (i) management affirmation that the incumbent is performing the full range of duties assigned; (ii) management approval for progression to the next higher level in the series; (iii); satisfactory work and office performance at the current classification level that is indicative of being ready to progress; and (iv) incumbent meets the minimum qualifications for the next classification.

#### **EXAMPLES OF TYPICAL JOB FUNCTIONS (Illustrative Only)**

- Performs the full range of routine to complex legal activities, involving the review, analysis, and defense of routine to complex criminal or civil cases; prepares and presents cases in court.
- Prepares the defense for court-referred clients in a variety of misdemeanor, felony, juvenile, and conservatorship, or other specialty cases.
- Consults, confers, and communicates with clients advising them of charges and legal rights, and to discuss options, as set forth in office policies and in State Bar ethical requirements.
- Reviews police reports and explains legal procedures; arranges for the release of in-custody clients if possible; explores potential admission to state mental health facilities.
- Appropriately requests the Investigative Unit interview witnesses and victims; reviews and analyzes evidence, police reports, and other material related to the defense of cases.
- Conducts pretrial case preparation, legal research, and coordinates investigative activities with public defender investigator staff; and reviews and evaluates investigative reports and evidence submitted by law enforcement agencies.
- Prepares and appears at pre-trials, trials, arraignments, revocation and bail hearings, and preliminary hearings, conservatorship hearings, and other Mental Health civil commitment hearings, in order to represent clients.
- Prepares suppression motions, motions to dismiss, motions to withdraw a plea, appellate briefs, and post-conviction motions as directed by management.
- Negotiates with prosecution attorneys for case disposition or modification.

- Manages court calendars to ensure that cases are resolved efficiently; prepares for weekly settlement conferences; conducts in-chambers discussions with judges and prosecution attorneys to facilitate case settlement.
- Performs trial work, including jury selection, examination and cross-examination, and argument of the defense case.
- Researches law and precedents to obtain information needed to defend pending cases.
- Prepares a variety of legal documentation, including reports, correspondence, and opinions related to client cases.
- Maintains accurate records and files and compile reports of work performed.
- Monitors legal developments, including proposed legislation and court decisions; evaluates their impact on public defense activities and recommends appropriate action.
- Engages in continuing legal education, to ensure new laws, new procedures, and trends in criminal justice case law is understood and followed.
- Performs related duties as assigned.

### **QUALIFICATIONS**

*Some knowledge and abilities may be gained by employees at the I- or II-level while in a learning capacity.*

#### **Knowledge of:**

- Principles, philosophy, and practice of criminal law, especially as related to the defense of court-referred clients.
- Principles, methods, and techniques of legal research, legal writing, and investigation.
- Practices and effective techniques in presentation of court cases.
- Judicial procedures and rules of evidence.
- Applicable state and federal laws, criminal law, constitutional law, and provisions affecting public defense from pretrial through appeal.
- Responsibilities and obligations of public officials and administrative agencies.
- Pleadings procedures.
- Appellate court procedures.
- Organization and the internal Policies & Procedures Manual of the Public Defender's Office.
- Principles and techniques for working with groups and fostering effective team interaction to ensure office-wide teamwork.
- The structure and content of the English language, including the meaning and spelling of words, rules of composition, and grammar.
- Modern equipment and communication tools used for business functions and program, project, and task coordination.
- Computers and software programs (e.g., Microsoft software packages) to conduct, compile, and/or generate documentation.

#### **Ability to:**

- Defend the full range of criminal and civil cases.
- Define issues, perform legal research, analyze problems, evaluate alternatives, and make appropriate recommendations.
- Represent assigned clients effectively in hearings, courts of law, and meetings with others.
- Prepare clear, concise, and legally sufficient written materials.
- Conduct effective negotiations.
- Interview and prepare witnesses for testimony.
- Present statements of fact, law, and argument clearly and logically, often times in front of large groups.
- Assess and handle difficult situations and respond quickly to changing circumstances.

- Interpret and explain legal principles and relate them to both trained legal professionals and the public.
- Work with various cultural and ethnic groups in a tactful and effective manner.
- Exercise sound, independent judgment within the general policy guidelines and legal parameters.
- Understand, apply and interpret state and federal laws and constitutional provisions affecting public defense activities.
- Independently organize work, set priorities, meet critical deadlines, and follow-up on assignments.
- Effectively use computer systems, software applications, and modern business equipment to perform a variety of work tasks.
- Communicate ideas and legal issues clearly and concisely, both orally and in writing, using appropriate English grammar and syntax.
- Use tact, initiative, prudence, and independent judgment within general policy, procedural, and legal guidelines.
- Establish, maintain, and foster positive and effective working relationships with those contacted in the course of work.

### **Education and Experience:**

*Deputy Public Defender I:* ~~Equivalent to a bachelor's degree from an accredited four-year college or university, plus a Juris Doctorate from an accredited school of law.~~

A Juris Doctorate (J.D.) or Bachelor of Laws (LL.B) degree from an accredited law school.

*Deputy Public Defender II:*

In addition to the education noted in the I-level, one (1) year of experience as an attorney engaged in the practice of law in the State of California, preferably in the area of criminal defense is required.

*Deputy Public Defender III:*

In addition to the education noted in the I-level, one (1) additional year of experience (for a total of three [3] years) as an attorney engaged in the practice of law in the State of California, preferably in the area of criminal defense is required.

*Deputy Public Defender IV:*

In addition to the education noted in the I-level, two (2) additional years of experience (for a total of five [5] years) as an attorney engaged in the practice of law in the State of California, preferably in the area of criminal defense. In addition, at this level, experience defending complex and high penalty cases with minimal supervision is required for advancement to the level of Deputy Public Defender IV.

### **Licenses and Certifications:**

- Possession of, or ability to obtain and maintain, a valid California or Nevada Driver's License and a satisfactory driving record.
- Possession of an active membership in good standing with the State Bar of California.

### **PHYSICAL DEMANDS**

Must possess mobility to work in a standard office setting and use standard office equipment, including a computer; to operate a motor vehicle and to visit various County and meeting sites; vision to read printed materials and a computer screen; and hearing and speech to communicate in person, before groups, and over the telephone. This is primarily a sedentary office classification although standing and walking

between work areas may be required. Finger dexterity is needed to access, enter, and retrieve data using a computer keyboard or calculator and to operate standard office equipment. Positions in this classification occasionally bend, stoop, kneel, reach, push, and pull drawers open and closed to retrieve and file information. Employees must possess the ability to lift, carry, push, and pull materials and objects up to 25 pounds. Reasonable accommodations will be made for individuals on a case-by-case basis.

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**ENVIRONMENTAL CONDITIONS**

Employees work in an office and court environment with moderate noise levels, controlled temperature conditions, and no direct exposure to hazardous physical substances. Employees also work in a court room environment and may interact with members of the public under emotionally stressful conditions and situations. Employees may interact with upset staff and/or public and private representatives in interpreting and enforcing departmental policies and procedures.

**WORKING CONDITIONS**

May be required to attend meetings outside of regular County hours.