

MITIGATION SPECIALIST—HCRC

DEFINITION

Under direction, provides assistance to Habeas Corpus Resource Center (HCRC) legal staff regarding preliminary assessment of clients' mental condition, investigation into mental health issues, and evaluation of relevant mitigating evidence; performs a broad range of duties related to mental health issues for the HCRC; serves as a consultant, and/or performs and coordinates investigation in mental health and mitigation issues and areas; gathers, reviews, and organizes relevant literature and materials; and conducts training for HCRC staff and for other counsel appointed to capital cases; performs related work as assigned.

CLASS CHARACTERISTICS

This is a specialist class, fully competent to perform independently and deal with the most technical, complex and/or sensitive mental health issues and projects; may serve in a lead capacity and direct the work of assigned staff.

EXAMPLES OF DUTIES (*illustrative only*)

- Maintains and develops expert knowledge of the protocols and methodology for investigating, evaluating and documenting a capital client's physical, psychological, and mental development relevant to constitutional and statutorily recognized mitigation claims.
- Understands the criteria for reliable diagnosis and assessment of mental disorders
- Identifies applicable standards for assessing the performance of pre-trial experts and trial counsel in their investigation and presentation of mental state and mitigating evidence at the client's trial.
- Provides assistance to HCRC legal staff and private counsel appointed to capital cases regarding preliminary assessment of clients' mental condition; may require travel (including driving) to various prison locations to visit clients.
- Reviews, as necessary, case files, documents, reports and declarations of medical and forensic experts to determine the need for further investigation.
- Confers with attorneys on potential legal issues and factual support for statutory and constitutional claims.
- Suggests appropriate avenues for conducting further investigation into mental health and other issues.
- Assists HCRC legal staff and private counsel appointed to capital cases in evaluating relevant evidence and in developing potential claims for a habeas corpus petition.
- Recruits and develops a pool of mental health experts with expertise in the broad range of specialties and disorders (e.g., neuropsychological assessments, post-traumatic stress disorder, schizophrenia) that are frequently pertinent to habeas corpus representation.

- Identifies, recruits and educates mental health experts in the particularities of capital post-conviction litigation.
- Develops and provides resource and training materials and programs to HCRC staff and other counsel appointed to capital cases to maximize the efficiency of their investigation of potentially relevant habeas corpus claims.
- Provides assistance to the HCRC Executive Director and Deputy Directors.

WORKING CONDITIONS

- Must be available to work overtime and on weekends and holidays.
- May be required to attend meetings outside of normal working hours.
- May be required to travel as necessary.

QUALIFICATIONS

Knowledge of:

- Management principles and practices, including goal setting; employee development; program development, implementation, and evaluation.
- California and Federal judicial system and court operations and procedures
- State and Federal habeas corpus practice and procedures.
- Principles of substantive and procedural law and their applications
- California statutory and case law and provisions of the United States and California Constitutions.
- California Rules of Court; the legislative process; and conduct of the work of the trial and appellate courts.
- Psychological and Medical research methods
- Protocols and methodology for investigation, evaluation and documenting physical, psychological, and mental development.
- Criteria for reliable diagnosis and assessment of mental disorders.
- Applicable standards for assessing the performance of pre-trial experts and trial counsel in investigation and presentation of mitigating evidence at trial.
- Problem-solving and conflict resolution methods and techniques.
- The operation of personal computers and the use of specified computer applications, such as word processing, spreadsheets and databases.
- Principles and techniques of preparing effective oral presentation and a variety of effective written materials.

Ability to:

- Develop and implement goals, objectives, policies, procedures and investigation standards.
- Manage programs and staff.
- Translate goals, objectives, and policies into day-to-day operations.
- Research medical and mental health literature, including computerized medical literature.
- Maintain up to date knowledge of the protocols and methodology for investigation, evaluation and documenting physical, psychological, and mental development.
- Convey complex medical and mental health information to a lay audience.

- Use initiative and independent judgment within established procedural guidelines.
- Interact effectively with attorneys, court and agency staff, the Legislature, medical professionals, and the public.
- Organize, prioritize and coordinate multiple work activities and meet critical deadlines.
- Communicate effectively with the client, client’s family, witnesses, courts, opposing counsel, medical and forensic professionals, and representatives of other agencies.
- Prepare written training materials on complex medical and mental health subjects and present training materials at HCRC training sessions and seminars.
- Exercise sound judgment and integrity.

Licenses and Certificates:

Valid California driver’s license.

Education and Experience:

Equivalent to possession of a postgraduate degree, preferably with major course work in psychology, public health, or other mental health related fields and three years experience in providing services related to a mental health field and one year’s experience providing mitigation specialist services in a litigation arena.