

[Reviewed by the Habeas Corpus Resource Center Board of Directors on July 21, 1998]

STAFF ATTORNEY I/II/III-HCRC

DEFINITION

Under direction, applies legal knowledge and reasoning to a broad range of legal duties for the Habeas Corpus Resource Center (HCRC), provides representation in state and federal habeas proceedings to indigent persons convicted of capital cases; performs related work as assigned.

CLASS CHARACTERISTICS

Attorneys at all levels in this series generally perform the same broad range of legal duties. Differences between classes are essentially the level of service and the degree of expertise provided, the complexity and difficulty of the legal subject matter, the sensitivity of the issues and their relative importance to the justice system, and the degree of independence required.

Staff Attorney is the entry-level class in the legal series. Staff Attorney I is distinguished from the Staff Attorney II in that the Staff Attorney I has the minimum requirement of State Bar admission and the Staff Attorney II has the equivalent of a minimum of one year of post-bar legal experience. Staff Attorney III requires two years of post-bar legal experience. Initially under close supervision, staff attorneys learn about specific legal tasks performed in the HCRC. As experience is gained, staff attorneys acquire a greater degree of subject matter expertise in capital representation, and manage projects and perform work of increasing complexity and difficulty with a greater degree of independence.

EXAMPLES OF DUTIES (*illustrative only*)

- Assists in the representation of death row inmates in habeas corpus proceedings.
- Analyzes and prepares legal memoranda and issue papers, legal opinions, and policy memoranda.
- Studies, interprets and incorporates laws, court decisions, and other legal authorities in the preparation of cases.
- Provides advice and/or assistance to private appointed counsel representing capital appellants in post-conviction proceedings.
- Performs legal research.
- Prepares legal documents and necessary supportive materials for legal proceedings.
- Maintains proficiency in specified areas of procedural and substantive law through continuing education.

WORKING CONDITIONS

- Attend meetings outside of normal working hours.
- Work evening and weekend hours.
- May be required to travel as necessary.

QUALIFICATIONS

Knowledge of:

- Substantive and procedural legal principles of criminal and constitutional 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; drafting statutes and constitutional provisions governing the organization, duties, powers, procedures, management, and conduct of the trial and appellate courts.
- State and federal habeas corpus practice and procedures.
- Legal research methods.
- Rules of evidence and conduct of proceedings in California courts.
- Knowledge of criminal defense trial and case law.
- The operation of personal computers and the use of specified computer applications, such as word processing.
- Principles and techniques of preparing effective oral presentations and written materials.

Ability to:

- Perform legal research, including computerized legal research; apply legal principles and precedents to particular sets of facts.
- Present statements of facts, law, policy, and argument clearly, concisely, and logically in both written and oral form.
- Use initiative and independent judgment within established procedural guidelines.
- Draft legal correspondence and reports effectively and concisely.
- Interact effectively with judges, attorneys, court and agency staff, the State Bar, the Legislature, and the public.
- Develop specialized projects, scholarly papers, or policies that advance the administration of justice and the goals of the HCRC.
- Organize, prioritize, and coordinate multiple work activities and meet critical deadlines.
- Exercise sound judgment and integrity.
- Effectively communicate with the client, client's family, and witnesses.
- Operate personal computers and use specified computer applications, such as word processing.
- Establish and maintain effective working relationships with colleagues and those contacted in the course of the work.

Licenses and Certificates:

Admission to the State Bar of California.

Education and Experience:

Staff Attorney I: Admission to the State Bar of California.

Staff Attorney II: Admission to the State Bar of California and the equivalent of one year of post-bar legal experience or one year as a Staff Attorney I with the HCRC.*

Staff Attorney III: Admission to the State Bar of California and the equivalent of two years of post-bar legal experience or one year as a Staff Attorney II with the HCRC.*

*After passing the state bar, work experience as a Law Clerk in a federal judicial clerkship prior to formal state bar admission may be considered qualifying experience.