

**Office of the State Public Defender –Trial Division
Assistant State Public Defender Supervisor**

POSITION SUMMARY

In carrying out the duties and responsibilities contained in this job description, the paramount responsibility of the Local Attorney Manager (LAM) shall be to ensure the competent, effective, zealous, compassionate, and ethical representation of the clients of the Office of the Wisconsin State Public Defender. The LAM shall also be guided by the need to achieve budgeted caseload requirements, to offer our services to all eligible defendants, and to ensure the smooth and efficient operation of the Office of the Wisconsin State Public Defender.

The LAM receives a partial adjustment of his or her assigned caseload in light of the managerial duties.

Special Requirement: Licensed to practice law in Wisconsin

GOALS AND WORKER ACTIVITIES

A. Manage and supervise assistant state public defender attorneys, support staff, and office operations.

- A1. Oversee the recruitment and selection of limited term employees, interns, volunteers, and others.
- A2. Plan, organize and coordinate training and orientation of newly hired attorneys, investigators, regional office administrators and others on the staff, in conjunction with the SPD Training Division and Regional Attorney Manager (RAM).
- A3. Implement, monitor and evaluate performance standards of employees supervised.
- A4. Assign the work of the staff supervised and assign cases to the appropriate team members to promote efficient achievement of the agency, region and office goals.
- A5. Ensure that each attorney meets the caseload assigned by the RAM. Keep the First Assistant informed of impediments to achieving assigned caseloads. If appropriate, recommend to the RAM to adjust an individual attorney caseload.
- A6. Make reasonable efforts to ensure assigned attorneys conform to the Rules of Professional Conduct, SCR chap. 20, and take reasonable remedial action when aware that an action may be in violation of the rules.
- A7. Regularly review the work of those supervised by attending staff/team meetings, hearings, pre-hearing conferences, and other legal proceedings and by reviewing their legal briefs and other writings.
- A8. Conduct meetings with those supervised and routinely discuss the work of the employees and the team.
- A9. Complete performance evaluations of those supervised and evaluate the performance of the team.

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- A10. Provide guidance and counseling to persons supervised as necessary to achieve improvement in employee and team performance.
- A11. Investigate alleged work rule and agency policy violations. Recommend appropriate courses of disciplinary action of persons supervised to RAM. Assist other offices in investigations.
- A12. Hear, investigate, and make decisions on first-step grievances filed by staff. Settle work related grievances, if possible, before filing a formal grievance complaint.
- A13. Receive, review, and appropriately act upon all inquiries and complaints from clients, the courts, prosecutors, other members of the criminal justice system, and the public, and intercede when appropriately on behalf of assigned attorneys in dispute with courts and prosecutors. These inquiries and complaints include not only those concerning SPD staff but also those concerning private attorneys appointed by the SPD.
- A14. Assess the training and education of staff supervised and recommend training needs.
- A15. Review and approve employee travel and expense vouchers and leave requests.
- A16. Keep the RAM apprised of significant issues/problems encountered on cases or with interactions with criminal justice partners.
- A17. Promote affirmative action and diversity in the workplace by contributing to the implementation of the agency's Affirmative Action Plan and diversity in the workplace.
- A18. Promote a safe and healthful workplace by communicating safety policies and plans to staff; enforcing safety rules; annually inspecting work area; and reporting to appropriate person any concerns about safety issues.

B. Administrative Functions

- B1. Ensure that all state, agency, regional and local office rules, policies, and procedures of the OSPD are followed by the assigned staff.
- B2. Ensure that employees are notified of all modifications to local office and regional policies, the agency Operations Manual, and Employee Handbook.
- B3. Establish, revise, and implement policies and procedures with the authorization and approval of the RAM.
- B4. Ensure that all required reports and records are completed and filed in a timely manner.
- B5. Keep the RAM advised of staff activities as well as activities,

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policies, and developments in the pertinent courts, local criminal justice systems, and counties.

- B6. Bring ethical and other legal problems that need resolution to the attention of the RAM.
- B7. Advise the RAM whenever an attorney is threatened with or held in contempt of court or is the subject of action that arises from the performance of her/her duties.
- B8. Represent the agency in communications with other organizations and with members of the public.
- B9. Represent the agency on justice system committees and work groups.
- B10. Perform other duties as assigned by RAM or agency management.

C. Provide intake services in accordance with the statutes, administrative rules, agency policies and procedures, and local office procedures.

- C1. Respond promptly to requests for representation from prospective clients of the office.
- C2. Interview individuals to determine eligibility in compliance with the statute, administrative rules, agency policies and procedures, and local office procedures.
- C3. Complete the applicant case information form used in the case management system.
- C4. Obtain complete client information for use by successor counsel.

D. Represent clients in judicial and administrative proceedings in a competent, effective, ethical, and zealous manner in accordance with Attorney Performance Standards set forth in the Policies and Procedures Manual and the Rules of Professional Conduct, SCR ch. 20.

- D1. Interview each client and keep the client informed of the status of the case, court or hearing dates, negotiations, the client's options, and applicable law.
- D2. Evaluate the factual and legal issues in each client's case, doing the necessary legal research, obtaining discovery, and conducting factual investigation, in person or by using an investigator.
- D3. Document each client's file.
- D4. Prepare appropriate legal pleadings, motions, briefs, memoranda, jury instructions, and other legal documents.
- D5. Consult with the client and witnesses, including expert witnesses, to prepare and present a viable defense.

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- D6. Develop and present alternatives for pretrial release.
- D7. Provide courtroom representation for the client throughout the duration of the case including motion hearings, court and jury trials, and other contested hearings.
- D8. File and handle any necessary interlocutory appeals.
- D9. When appropriate, attempt to resolve the client's case through negotiation.
- D10. Develop and present alternatives at the time of sentencing, commitment, or other disposition of the client's case.
- D11. Advise the client of appeal rights and file necessary post-conviction notices.
- D12. Upon completion of a case and in accordance with the case management system, submit a complete and timely case closing form.
- D13. Maintain calendar control of cases and keep the local office advised of the location.
- D14. Keep abreast of the statutory and decisional law in pertinent areas of practice.
- D15. Maintain license to practice law and obtain at least the required number of CLE credits.
- D16. Be present in the office, county jails, courthouse or otherwise on office business and accessible to the office during the local office hours and available by telephone 24 hours a day.
- D17. Work with other staff in the office and attorneys as assigned and share knowledge and experience.

KNOWLEDGE, SKILLS AND ABILITIES

- 1. Knowledge of legislative, administrative and legal systems
- 2. Knowledge of administrative law and law of evidence
- 3. Trial and appellate advocacy
- 4. Knowledge of Rules of Professional Conduct, SCR chap. 20
- 5. Knowledge and skill in management and supervisory techniques
- 6. Ability to lead a team
- 7. Knowledge of agency's mission, goals and plans

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8. Knowledge of State and Federal governmental organizational structure and interagency relationships
9. Knowledge of State and Federal statutes and regulations
10. Knowledge of open meetings and public records law
11. Knowledge and skill in analysis of proposed and pending legislation
12. Written and oral communication skills
13. Ability to establish and maintain effective working relationships with agency management, political officials, and criminal justice partners
14. Ability to work effectively with people, including those from different ethnic, educational, cultural, political, economic and religious backgrounds
15. Skill in and ability to prioritize tasks and respond to issues determined to be critical and/or urgent
16. Ability to conduct administrative hearings and litigation
17. Skill in mediation and conflict resolution
18. Computer skills e.g., Lexis/Nexis, MS Outlook, Word, legal databases