

FEDERAL PUBLIC DEFENDER

NORTHERN DISTRICT OF CALIFORNIA

JODI LINKER
Federal Public Defender

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POSITION ANNOUNCEMENT ASSISTANT FEDERAL PUBLIC DEFENDER (TRIAL ATTORNEY) SAN JOSE, CALIFORNIA

(Posted April 2024)

The Federal Public Defender for the Northern District of California is accepting applications for the position of a full-time Assistant Federal Public Defender (AFPD). This attorney will be stationed in the San Jose office. The FPD operates under the authority of the Criminal Justice Act, 18 U.S.C. § 3006A, to provide court-appointed legal representation to people charged with committing federal crimes who cannot afford to hire an attorney. More information about the office may be found at www.ndcalfpd.org.

JOB DESCRIPTION: The AFPD will advocate for our clients charged with criminal offenses or involved in post-conviction proceedings in the United States District Court for the Northern District of California and the United States Court of Appeals for the Ninth Circuit. The AFPD's duties include representation at all stages of proceedings (magistrate, trial, appellate, and ancillary matters) at the discretion of the Defender; however, the attorney's primary responsibility will be to represent clients at the trial court level.

The AFPD will assume active caseloads ranging from complex felonies to misdemeanors. The position requires managing cases at various stages of litigation; preparing pleadings, briefs, and motions; appearing on behalf of clients in court hearings and at other related proceedings; developing litigation strategies; meeting with clients, experts, witnesses, and family members; participating in local and national committees and projects; attending trainings and staying up to date on legal matters and technology; and, performing other duties as assigned. The AFPD will work to uphold every person's right to be presumed innocent; receive a vigorous defense; and, if convicted, receive a fair sentence. They will collaborate with teams of investigators, paralegals, social workers, and other staff to develop pre-trial investigation and litigation strategies, trial defenses, and mitigation evidence that reflects fully developed views of our clients and their lives, not merely their charges.

This position requires some travel throughout our district and occasional out-of-district travel for training, investigation, and litigation. At the discretion of the Defender, AFPDs in the San Jose office may also be assigned to cases in the San Francisco and Oakland offices.

The AFPD must work at the San Jose duty station, unless out of the office for investigation, jail visits, or other work-related business. The position is subject to the office's telework policy, which (subject to change) generally provides for up to one day of remote work.

REQUIREMENTS AND QUALIFICATIONS: Applicants must:

- Be a law-school graduate, currently a member in good standing of the State Bar of California or eligible to take the next California Bar Exam (the office does not pay for bar dues), and admitted or eligible for admission to the U.S. District Court for the Northern District of California and the Ninth Circuit Court of Appeals.
- Possess strong research and analytical skills and effective written and oral communication abilities; demonstrate an aptitude for trial and appellate practice; and have a deep commitment to the vigorous representation of indigent clients.
- Be highly motivated, detail oriented, and well organized; thrive in a fast-paced work environment; possess excellent interpersonal skills; collaborate and lead effectively.
- Be fully vaccinated against COVID-19.
- Preference for at least three years of prior legal experience in criminal law and federal courts.

Offers are conditioned upon satisfactorily completing a required fingerprint check and background investigation.

SALARY AND BENEFITS: This is a full-time position. Salary is based on federal pay schedules and is commensurate with experience. This position has a salary range of \$97,031 to \$191,800. The salary will be based on professional attorney experience. Benefits include health, long-term care, and life insurance, as well as 11 paid federal holidays, 13 days of paid sick leave, and 13 days of paid vacation leave annually. (The rate of paid vacation leave increases with years of service.) The position is eligible for the Federal Employees Retirement System (FERS), including the Thrift Savings Plan (TSP), which matches up to 5% of employee contributions, up to a cap. Salary is paid every other week and only by direct deposit.

The position qualifies individuals with federal student loan debt for loan forgiveness, cancellation, and/or consolidation under the [Public Service Loan Forgiveness program](#) (PSLF) of the [College Cost Reduction and Access Act of 2007](#). The individual, not the office, is responsible for confirming and fulfilling all requirements for such eligibility.

Attorneys at the Office of the Federal Public Defender may not engage in the private practice of law and must get approval from the Defender to engage in any outside employment activities.

THE APPLICATION PROCESS: Applications will *only* be accepted online and must be submitted through this web portal:

<https://ndcald.knack.com/applications#attorney/>

Please prepare and upload a .pdf application packet, which should include the following material in a single .pdf file:

- A plain face sheet, containing only your last name, first name, and the name of your current employer or your current employment status;
- A cover letter explaining your interest in the position;

- Your resume;
- A writing sample (preferably written within the last two years) that demonstrates your own original work;
- Three professional references, including name, email address, and telephone number (references will not be contacted until applicant is advised).

The uploaded .pdf file should be named, “Last name, first name.” (E.g., “Doe, Jane.pdf”)

Applications submitted by fax, mail, or email will not be considered.

Applicants invited to interview will be asked, but are not required, to complete a [Judicial Branch Employment form \(AO78\)](#). Completion of such form is not considered in evaluating an application.

Commitment to Diversity, Equity, & Inclusion: Our office values diversity, is committed to equity and inclusion, and aspires to create a culture of mutual respect, collaboration, openness, and humility that honors the people we represent. We believe representation is better when members of the defense team have diverse backgrounds and experiences. We seek a lawyer who shares this belief and commitment. We embrace the unique contributions our employees can bring to the FPD because of their backgrounds, social identities, and lived experiences. We are interested in applicants’ talent, intelligence, dedication, and persistence, and desire to see that all people are treated fairly and respectfully—no matter the allegation or circumstance.

The FPD seeks applications from a diverse group of qualified individuals in terms of race, ethnicity, nation of origin, culture, sex, gender identity and expression, sexual identity, education, opinions, age, languages spoken, veteran status, disability, religion, and socio-economic circumstance. We especially encourage applications from members of the BIPOC community, people affected by the criminal legal system, and people from other underrepresented and historically marginalized groups.

Interviewing Non-Citizens and Offers of Future Employment: While non-citizens may be interviewed and considered for employment, employment offers will only be made to individuals who qualify under one of the exceptions set forth in 8 U.S.C. § 1324b(a)(3)(B). Usually, this means that an offer of employment cannot be made unless the candidate is a U.S. Citizen, or is a lawful permanent resident seeking U.S. citizenship as described here:

<http://www.uscourts.gov/careers/search-judiciary-jobs/citizenship-requirements-employment-judiciary> .

Applicants will only be contacted if selected for an interview.

The position will remain open until filled by the Federal Public Defender although preference will be given to applications filed by April 30, 2024.