



Office of Capital and Forensic Writs

POST-CONVICTION ATTORNEY JOB OPPORTUNITY

Established in 2010, the Office of Capital & Forensic Writs (OCFW) is a small, close-knit public defender office in Austin, Texas. We proudly serve as the office of conviction integrity for the State of Texas, working to ensure that capital and non-capital convictions are constitutional, reliable, and untainted by questionable forensic science.

Our practice is two-fold. First, we represent death-sentenced persons in constitutional challenges to their conviction and sentence. Capital post-conviction is our largest practice. We represent 70% of persons in Texas raising initial post-conviction challenges to their convictions and death sentences, and a smaller number of clients in other procedural postures, such as incompetency to be executed, post-conviction DNA testing, and successive post-conviction proceedings. The work OCFW does in Texas is making an impact. Since 2020,

- The Court of Criminal Appeals overturned one client's capital murder conviction and death sentence, agreeing with OCFW that false forensic evidence was used to convict and sentence him to death;
- Another client's death sentence was held unconstitutional due to incompetence to be executed;
- Trial courts have found clients' conviction or sentence to be unconstitutional in four cases.

In 2020, we began representing persons convicted of non-capital offenses in post-conviction challenges when questionable forensic science, negligence, or misconduct contributed to their conviction. These cases are referred to us by the Texas Forensic Science Commission. We currently represent eight clients whose convictions rest on tainted, outmoded, or unreliable forensic science, such as hair microscopy, blood spatter, bitemark, and fingerprint evidence.

OCFW is hiring an experienced attorney to represent our clients in these areas. Salary will depend on experience.

All attorneys work as part of a team of advocates, all of whom offer valuable perspectives, backgrounds, and expertise. Although this work can be difficult, we

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consider ourselves fortunate to work alongside compassionate, dedicated, and collaborative colleagues to provide the best possible representation to our clients. Because we know our clients benefit when their advocates have a wide and diverse range of professional and life experiences, our office is strongly invested in having persons of color and individuals from non-traditional backgrounds represented.

OCFW provides client-centered and excellent post-conviction representation, and is committed to following applicable professional guidelines, including: the ABA Guidelines for the Appointment and Performance of Defense Counsel in Death Penalty Cases (2003), the State Bar of Texas Guidelines and Standards for Texas Capital Counsel (2006), and the Supplementary Guidelines and Standards for the Mitigation Function of Defense Teams in Texas Death Penalty Cases (2015).

OCFW Values:

The OCFW values dedication, compassion, collaboration and dignity, and believes these values to be the cornerstone of all that we do. Our office is dedicated to client interests, professional development, and high-quality representation. We endeavor to work through an anti-oppressive lens, display compassion in our work to our clients, the community at large, each other and ourselves. We foster a collaborative and supportive environment and empower each other in our work protecting the rights of our clients. We strive to be free from bias or favoritism and to treat all with respect.

Commitment to Diversity:

OCFW is devoted to maintaining a staff with diverse backgrounds and experiences. Every OCFW staff member shares a profound commitment to public service and to defending people from underserved communities. We are specifically seeking candidates with Spanish language skills and/or those from communities disproportionately impacted by systemic injustice, whose lived experiences contribute to client representation.

We are committed to cultivating an anti-oppressive workplace that embraces staff with a diversity of backgrounds, identities, and experiences.



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Job Description:

Our practice involves claim investigation and drafting, litigation of live evidentiary hearings, and appellate advocacy. Thus, ideal candidates would be adept at both written and oral advocacy, as well as committed to client-centered, excellent representation. Duties include: building rapport with and counseling clients; reviewing the trial and appellate record for constitutional error; interviewing witnesses; investigating and developing claims; drafting applications for writs of habeas corpus and other substantial pleadings; litigating evidentiary hearings.

Minimum Qualifications:

- Member of the Texas State Bar or eligible for admission within six months of employment (Please note that the Texas Bar allows for the admission without examination for certain applicants who have practiced law for at least five out of the last seven years. *See* Rule XIII, Rules of The Supreme Court Governing Admission to The Bar of Texas);
- Demonstrated commitment to social justice, indigent defense, and criminal justice reform;
- Three years of experience representing low-income clients at trial, on appeal, or on post-conviction as a public defender or in a similar advocacy role (credit also given for judicial clerkship experience).

Preferred Qualifications:

- Five years of experience representing low-income clients at trial, on appeal or on post-conviction as a public defender or in a similar advocacy role (credit also given for judicial clerkship experience);
- Excellent writing, analytic, legal research, investigative, and oral advocacy skills;
- Prior experience with factual investigation, mitigation investigation, and collaboration with expert witnesses;
- Ability to work collaboratively in team settings; strengths in teamwork, client relations, investigation and relationship building;
- Demonstrated commitment to social justice, indigent defense, and criminal justice reform;
- A demonstrated understanding of, or willingness to learn about, capital mitigation and mental-health issues;
- Fluency in Spanish.



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Employment Conditions:

- Pursuant to state law, OCFW may not employ an attorney who has been found by a state or federal court to have rendered ineffective assistance of counsel;
- Ability to operate standard office equipment and software;
- A valid driver's license, and the willingness to operate a motor vehicle for client-representation purposes;
- Ability and willingness to travel throughout Texas and, on occasion, out of state; frequent travel is required for this position.

Additional Details:

Posting Date:	August 10, 2022
Closing Date:	Until filled
Job Listing Number:	215-22-03
Location:	Austin, TX
State Job Title:	Attorney II/III/IV
FLSA Status:	Exempt
Salary Range:	\$70,000 to \$105,000, depending on experience and qualifications
Type of Job:	Full Time
Travel Required:	Yes (25%)

To apply:

Please email the following materials to hire@ocfw.texas.gov: (1) a letter of interest; (2) a resume; (3) a list of references; and (4) the mandated State of Texas Application for Employment (available at: <https://twc.texas.gov/files/jobseekers/texas-application-employment-twc.pdf>.)

****Applicants selected for an interview will be required to submit a writing sample along with their application.**

Veterans, Reservist or Guardsmen with an MOS or additional duties that fall in the fields of 27A, 27B, 250X, LGL10, 04, 4402, 51JX, or other related fields pertaining to the minimum experience requirements may meet the minimum qualifications. Additional Military Crosswalk information can be accessed at:

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http://www.hr.sao.state.tx.us/Compensation/MilitaryCrosswalk/MOSC_Legal.pdf

The Office of Capital & Forensic Writs is an Equal Opportunity Employer and does not discriminate on the basis of race, national origin, sex, religion, age or disability in employment or the provision of services. In compliance with the Americans with Disabilities Act, any request for reasonable accommodations needed during the application process should be communicated by the applicant to Sandra Justice, the Office of Capital & Forensic Writs Senior Accountant, at (512) 463-8520.

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