

***PADILLA* - IMMIGRATION ATTORNEY POSITION**

DESCRIPTION

By the assignment of the Public Defender, the *Padilla* Immigration Attorney will be responsible for providing consultations in criminal cases assigned to the Public Defender regarding immigration consequences of criminal convictions. The *Padilla* Immigration Attorney will ensure the office's compliance with Supreme Court and legislative mandates regarding advising noncitizens accused of crimes regarding immigration consequences. *See Padilla v. Kentucky*, 559 U.S. 356 (2010); California Penal Code 1016.3(a).

DISTINGUISHING FEATURES

Incumbents are expected to perform highly competent legal work, advising public defenders regarding immigration consequences and complex "crimmigration" legal issues. The *Padilla* Immigration Attorney position furthers efforts towards achieving the Office's "holistic defense" model of public defense.

EXAMPLES OF DUTIES

- (a) Advise public defenders and clients about potential immigration consequences of criminal convictions prior to the resolution of their criminal cases, and delinquency findings prior to resolutions of juvenile delinquency cases;
- (b) Advocate directly with district attorneys in criminal cases where client is facing adverse immigration consequences in order to mitigate those consequences;
- (c) Advise clean slate attorneys regarding immigration consequences of prior convictions, and identify legal avenues for post-conviction relief where applicable;
- (d) Screen noncitizen clients for possible representation by the Immigration Representation Unit;

- (e) Monitor law enforcement compliance (Police, Sheriff, Probation, etc.) with state laws related to immigration enforcement (ie: SB 54 compliance) and identify potential violations;
- (f) Advocate on behalf of noncitizen clients amongst actors in the Alameda County criminal legal system, including judges, prosecutors, probation officers, and other service providers;
- (g) Conduct initial intake interviews with potential clients and initial investigation to determine whether clients are eligible for public defender immigration services and immigration relief;
- (h) Provide screening and brief advice to individuals regarding post-conviction relief options for vacating, modifying, reducing, reclassifying prior convictions in order to mitigate or avoid immigration consequences;
- (i) Develop training and educational materials to keep public defenders up-to-date on key crim/imm concepts and office *Padilla* protocols, including annual office-wide mandatory immigration training;
- (j) Stay abreast of rapidly changing crim/imm related case law coming out of the Supreme Court, U.S. Court of Appeals for the Ninth Circuit, Board of Immigration Appeals, and other relevant authorities.

MINIMUM QUALIFICATIONS

- Current active membership and good standing with the California State Bar

PREFERRED QUALIFICATIONS:

- 5 or more years removal defense experience, including detained removal defense, or related “crimmigration” experience, including providing consultations to criminal defense attorneys pursuant to *Padilla v. Kentucky*.
- Experience advising criminal defense attorneys as to immigration consequences of criminal convictions

- Spanish Fluency
- Post-Conviction Relief litigation experience
- Demonstrated ability to use and prioritize a holistic and client-centered approach to legal practice

KNOWLEDGE AND SKILLS

- Written communication
- Oral communication
- Legal Research
- Analysis and problem solving
- Planning, organization, and time management
- Knowledge of philosophy and practice of public defense in the United States
- Knowledge of laws, ethics, and policies governing the Public Defender's Office
- Ability to present legal arguments effectively in oral and written form
- Ability to inspire confidence in clients and work effectively with colleagues and representatives of other agencies
- Ability to handle legal correspondence and procedures with tact and accuracy
- Appropriate decision making
- Interpersonal sensitivity
- Flexibility
- Performance in a stressful environment
- Punctuality

COMPENSATION

- Competitive salary and benefits package.

TO APPLY

Send cover letter, resume, and 2-3 references to: raha.jorjani@acgov.org . Applications will be accepted until the position is filled.