JOB DESCRIPTION:

Miller Staff Attorney

The Louisiana Center for Children’s Rights seeks three experienced staff attorneys to serve as a critical team members of LCCR’s Miller defense team. The Miller Staff Attorneys will directly represent children and adults convicted as children who face life without parole (LWOP) in pretrial, sentencing and re-sentencing litigation. The position is located in New Orleans.

This is an opportunity for a highly motivated individual to play an integral role in the development of best practices for defense attorneys representing children who face LWOP parole sentences in Louisiana. Strong candidates will have significant litigation and in-court experience; familiarity with capital and/or Miller litigation and mitigation investigation; substantive knowledge of adolescent development and the jurisprudence surrounding children in the adult justice system, including those who face LWOP sentences; strong oral and written advocacy skills and the ability to communicate effectively with a range of people.

LCCR places a high value on diversity in our workplace. Formerly incarcerated individuals, people of color, women, LGBT persons, and people with disabilities are encouraged to apply.

Summary of Work

The Louisiana Center for Children’s Rights is a statewide, non-profit advocacy organization focused on reform of the juvenile justice system in Louisiana. LCCR is the juvenile public defender for children arrested and prosecuted in New Orleans. Statewide, LCCR works to promote and protect the rights of all children in Louisiana’s juvenile and adult justice systems both through the direct representation of children in the adult system and through educating system actors on the developmental differences between children and adults.

Prior to reforms passed in 2017, Louisiana was home to the nation’s highest per capita rate of juvenile LWOP sentences. Every year, dozens of Louisiana children are arrested and charged as adults for offenses carrying the possibility of life without parole.

In 2012, the United States Supreme Court handed down Miller v. Alabama, which held that mandatory LWOP sentences for children under the age of 18 violate the Eighth Amendment’s prohibition on cruel and unusual punishment. Miller required that courts conduct individualized sentencing hearings that take into account the child’s individual character, life circumstances, and other mitigating factors. Miller also held that LWOP sentences were only permissible for the rare and uncommon child.

Unfortunately, LWOP for children who face those sentences remains the norm in Louisiana rather than the exception. District Attorneys are seeking to re-impose the sentence in one-third of all cases where children received LWOP prior to Miller, and they continue to seek the sentence in numerous new cases across the state.

Through a new contract with the Louisiana Public Defender Board, LCCR will now represent all indigent children and adults convicted as children who face life without parole sentences. LCCR’s attorneys and mitigation specialists will provide client-centered, zealous and high
quality defense services in all cases under the supervision and guidance of the Legal Director. LCCR’s model of representation relies on statewide performance standards as well as the best practices from around the country.

**Position Responsibilities**

The *Miller* Staff Attorneys will directly represent children and adults convicted as children who face LWOP sentences. The *Miller* Staff Attorneys will represent clients in a pre-trial posture as well as clients facing re-sentencing. The *Miller* Staff Attorneys will at times act as lead counsel and at other times as co-counsel, partnering with defenders in the jurisdictions where their client’s case is being prosecuted. In all cases, the *Miller* Staff Attorneys will take responsibility for ensuring that every client receives high quality and zealous defense in accordance with the Louisiana Performance Standards for Attorneys Representing Juveniles in Life Without Parole Cases, the American Bar Association Guidelines and national best practices.

The *Miller* Staff Attorneys may also be asked to contribute to other strategic litigation opportunities undertaken by LCCR with respect to juvenile LWOP sentences; and will also be asked to contribute to the strategic vision of the project, including the direction of legislative advocacy.

Specifically, the *Miller* Staff Attorneys’ responsibilities will include:

**Zealous, Client-Centered Representation**

- Play a leadership role in setting the tone and standard amongst other defense team members for zealous advocacy;
- Ensure that the defense team is properly comprised of all needed staff and skills;
- Advocate zealously for the expressed interests of clients;
- Build strong relationships of trust with clients, visiting and communicating with clients regularly, keeping clients informed of case developments, consulting with clients on questions of strategy, and counseling clients fully to allow them to make informed decisions about their cases;
- Work respectfully and collaboratively with all defense team members.

**Litigation**

- Represent children and adults convicted as children facing LWOP sentences in pre-trial, trial, sentencing and re-sentencing proceedings;
- Develop, in coordination with other defense team members, a comprehensive case plan and strategy, planning carefully and preparing thoroughly for every proceeding;
- Ensure a thorough fact and mitigation investigation is completed in every case;
- Litigate legal and factual issues alike with skill and tenacity, maintaining a robust motions practice, seeking relief from appellate courts, and taking advantage of expert assistance wherever appropriate;
- Negotiate with district attorneys and judges for favorable outcomes.

**Holistic Advocacy**

- Coordinate a team of advocates – including co-counsel or second chair lawyer, a fact investigator and a mitigation investigator – to implement holistic and comprehensive advocacy plans designed to help clients achieve their goals;
• Communicate regularly and effectively with team members, providing direction where appropriate while recognizing that every team member has a vital role to play in effective advocacy for clients;
• Where appropriate, litigation planning should incorporate a plan for re-entry.

Administrative and Program Responsibilities
• Participate in annual statewide Miller training and other trainings as appropriate;
• Adhere to office policies regarding meetings and communication;
• Prioritize responsibilities and use resources effectively and efficiently;
• Thoroughly document advocacy efforts and outcomes;
• Carefully keep electronic and paper records, case files, calendars, activity logs, case lists, and timesheets, and perform other administrative tasks as directed;
• Supervise law clerks and interns as appropriate;
• Collaborate with other LCCR staff in strategic planning and implementation and in realizing the office’s mission and vision through refinement of existing projects and new project development;
• Join with other staff on systemic reform efforts when direct representation tasks permit;
• Assist in project evaluation and assessment;
• Other duties as directed by the Legal Director.

All LCCR staff must perform all duties in accordance with applicable law, ethical rules, and the performance standards promulgated by LCCR and by the Louisiana Public Defender Board.

Reporting Relationships

The Miller Staff Attorney will report directly to the project’s Legal Director.

Qualifications
• A Juris Doctorate with current good standing to practice law;
• If not barred in Louisiana, must take and pass the Louisiana bar subsequent to being hired;
• A minimum of three years of experience in criminal defense practice is required;
• Experience litigating capital cases and/or Miller cases, including the development and presentation of mitigation evidence is strongly preferred;
• Courtroom experience and strong oral advocacy skills;
• Strong issue spotting and research and writing skills;
• Substantive knowledge of adolescent psychology, adolescent development, mental health and other areas of knowledge important for effective advocacy on behalf of youth in the criminal justice system;
• Deep and demonstrated commitment to indigent criminal defense;
• Excellent oral and written communication skills, interpersonal skills, the ability to work well in a team-based, client-centered approach, and the ability to communicate effectively with diverse populations;
• Strong work ethic and willingness to work late hours and/or weekends when circumstances demand it.

Salary and Compensation
The salary for this position is commensurate with experience and competitive in the field of public defense. Vacation, parental leave, and health benefits are provided by LCCR. The position is full-time and grant funded. No other compensated work is permitted.

**Application Instructions**

Applicants must submit: (1) a cover letter; (2) a resume or C.V.; (3) a sample redacted legal brief, pleading or motion; and (4) a list of three professional references, including the name, phone number and, e-mail address of each.

All submissions must be made via email to jobs@laccr.org. Please place “Miller Staff Attorney” in the subject line of emailed submissions. Incomplete applications will not be considered. Please do not call with inquiries.

Applications will be considered on a rolling basis so interested applicants are encouraged to apply as soon as possible. The position will remain open until October 15, 2018.