

PARALEGAL

A. DEFINITION

The Paralegal provides a full range of paralegal services to staff attorneys. General duties include legal research and writing, all aspects of case preparation and file management, drafting pleadings and correspondence, interviewing clients and witnesses, developing and maintaining research banks and assisting with panel training. The Paralegal may also provide litigation support.

B. PRIMARY JOB DUTIES

The Paralegal performs tasks such as the following:

1. Performs legal research utilizing all available resources including computer-assisted legal research tools. Drafts legal pleadings including motions, requests for jury voir dire and jury instructions. Ensures completeness of documents and conformity with pertinent laws, rules, regulations, precedents, policies and office requirements.
2. Assists in all aspects of case preparation. Prepares and reviews cases in accordance with applicable laws, rules, regulations, precedents, policies, office practices and established procedures. Analyzes interrelated and disputed facts. Identifies legal issues and questions, interprets rules and principles, and recommends actions. Initiates new areas for investigation. Submits written reports as needed.
3. Assists the attorney at hearings and trials by evaluating testimony, coordinating witnesses and documents. Supervises service of subpoenas and notification of witnesses.
4. Assists Assistant Federal Defenders with client contact. Informs clients of case status, court appearances and answers general inquiries according to office policy.
5. Interviews expert and fact witnesses and coordinates testimony. Collects, organizes and evaluates evidence and exhibits.
6. Assists with bail applications and bond hearings. Develops and manages pre-trial and post-conviction client placement as an alternative to incarceration.
7. Compiles and maintains digests and indexes of substantive information on statutes, treaties, regulations and related subject matter. Analyzes legal decisions, opinions, rulings, memoranda and related legal materials and prepares digests and indexes of same. Compiles and summarizes substantive information on statutes, treaties and specific legal subjects.
8. Develops and maintains banks of substantive motions, briefs and jury instructions. Assists other staff members with information retrieval from these sources.

9. Participates in case management functions and control systems such as conflicts checking, calendar and docket control. Ensures completeness and accuracy of these case control tools.

10. Litigation Support:

Litigation Support (LS) duties, which are incorporated into the Paralegal, Investigator and CSA classifications, in general terms means supporting attorney and legal personnel (litigation team) in the use of technological litigation support tools for the collection, review, analysis, production, and presentation of case materials. Accordingly, some or all of these duties may be handled by a paralegal, investigator, or CSA at any given time depending on an individual office's structure and their staff's skill set.

In federal criminal defense cases, there are three primary ways that litigation support is utilized by FDO staff. The first area is the management and analysis of paper documents and their scanned paper electronic equivalents (e.g. PDFs and TIFFs). The second is the management and analysis of electronically stored information (ESI), also known as electronic discovery, including working with electronic native files. The third area is preparing and conducting electronic courtroom presentations for hearings or trial. Since litigation support involves the use of computer systems, no matter who is doing the task close coordination with the FDO IT Staff is essential.

Litigation support job duties can include, but are not limited to, the following:

- a. Apply knowledge of court rules, local practices, and the Federal Criminal and Civil Rules of Procedure in analyzing litigation support requirements.
- b. Work with the litigation team to develop and recommend appropriate strategies to meet the litigation needs of each individual case and determine specific requirements for discovery and third party evidence collection, review, analysis, production, and presentation of case materials.
- c. Work closely with the litigation team to understand substantive issues of the case so that the most effective tools can be identified and used.
- d. Develop and utilize specific procedures, tools, and techniques to ensure quality control is maintained throughout the litigation process, utilizing good project management practices that include using iterative and adaptive processes that allow for learning and correction.
- e. Coordinate with lead counsel to develop and oversee the workflow and ensure that information captured using the chosen technology is properly communicated to the team and effectively utilized.

- f. Act as discovery manager to understand the volume, format, and content of discovery being received in order to assist the litigation team in selecting the proper tool to host, review, analyze, and use the discovery material.
- g. Identify proper tools for working with ESI and paper documents based on the complexity and the volume of data on a case-by-case basis.
- h. Evaluate the efficiency of litigation support technology throughout the case to ensure that it is responsive to the litigation team's needs and that it represents the best methodology available.
- i. Understand the cost and case benefits of tasks handling tasks in-house vs. hiring outside vendors. Assist in assessing and selecting the appropriate vendor for each task.
- j. Oversee and manage vendors' work to ensure that goals, budgets, and deadlines are met.
- k. Apply knowledge of the various aspects of litigation support dealing with paper and e-paper, including but not limited to, scanning, OCRing, logical unitization, objective coding, document review, load files, and production.
- l. Apply knowledge of the various aspects of litigation support dealing with electronic discovery including, but not limited to, the use of Early Case Assessment (ECA) tools, keyword searching, concept searching, de-duplication by hash or "NIST" (removal of files identified by the National Institute of Standards and Technology (NIST), the FBI and other law enforcement agencies as not having evidentiary value), document clustering, email threading, intelligent foldering, native file review, and production.
- m. Apply knowledge of the various aspects of litigation support dealing with courtroom presentations including, but not limited to, the use of courtroom presentation software, timeline and diagramming applications, and ability to set up and operate audio/video equipment.
- n. Understand network and system requirements in evaluating potential software packages and litigation support tools.
- o. Be familiar with technology utilized in FDOs to ensure that any new systems introduced for a specific case are compatible with the already existing systems.
- p. In coordination with appropriate national and local IT staff, design, set up, and administer litigation support computer systems including Evidence Review Platforms (ERPs), databases (typically AccessData's Summation

program or a web-hosted review tool), trial presentation software (typically TrialDirector), and any other applicable litigation support technology.

- q. Be familiar with a variety of hardware, including desktops, servers, laptops, printers, audio-visual devices, and other equipment that is used for litigation support technology.
- r. Train end users and administrators on the use of litigation support technology including, but not limited to, tools such as Summation, CaseMap, TimeMap, TrialDirector, PowerPoint, ISYS, Adobe Acrobat Professional, Excel, and all other applications that are needed on a case-by-case basis.
- s. Provide feedback to the National Litigation Support Team on the results of newly implemented technology, work flow processes, and quality of work product produced by outside vendors.
- t. Keep current on new developments in litigation support technology and recommend additions and modifications to current tools as necessary.

11. Assists with CJA panel training as required.

12. Performs all other duties as assigned.

C. ORGANIZATIONAL RELATIONSHIPS

The Paralegal reports to the Chief Paralegal or other supervisor as designated by the Defender.

D. QUALIFICATIONS

To qualify for the position of Paralegal, a person must be a high school graduate or the equivalent and must have the requisite experience outlined in the *Salary and Experience Scale* and *Experience Requirements* sections. The individual must be able to perform each essential job duty satisfactorily. The job requirements are representative of knowledge, skills, and/or abilities necessary to perform the essential functions of the job.

E. SALARY AND EXPERIENCE SCALE

DOCS Grade Level	Years of General Experience	Years of Specialized Experience	Total Years of Experience
11	3	3	6
12	3	4	7
13	3	5	8
14	3	6	9

Note: One year of the required experience must have been at, or equivalent to, the next lower grade in federal service. Experience that has not provided training or required the application of the knowledge, skills and abilities outlined in the *Primary Job Duties* section above is **not** creditable experience. Specialized experience may always substitute for general experience but general experience may not substitute for specialized experience.

F. EXPERIENCE REQUIREMENTS

General Experience

Experience that provides evidence the individual has:

- a general understanding of the methods and skills required for accomplishing the tasks outlined in the *Primary Job Duties* section above;
- a general understanding of office confidentiality issues, such as attorney/client privilege;
- the ability to read, analyze and interpret common technical journals and legal documents;
- the ability to apply common sense understanding to carry out instructions furnished in written, oral or diagram form;
- the ability to analyze and apply relevant policies and procedures to office operations;
- the ability to exercise good judgment in a mature and diplomatic manner;
- the ability to communicate orally and in writing;
- a general knowledge of office practices and legal processes;
- the ability to recognize and analyze problems and recommend practical solutions;
- the ability to use a personal computer.

Specialized Experience

Progressively responsible experience in the functional areas described in the *Primary Job Duties* section above. Such experience provides the individual:

- a comprehensive knowledge of investigative principles, practices, methods and techniques, mental health issues, and capital legal system;
- the ability to identify and evaluate pertinent facts and regulations, policies and precedents;
- skill and judgment in the analysis of cases and legal opinions;
- understanding of criminal law, criminal procedure, and evidence;
- experience as a paralegal performing progressively responsible paralegal duties;
- the skills and ability to execute the duties of the position.

G. EDUCATIONAL SUBSTITUTIONS

Education above the high school level in accredited institutions may be substituted for the general experience on the basis of one academic year (30 semester or 45 quarter hours) equals nine months of experience.

Completion of all the requirements for a bachelor's degree from an accredited college or university and having met one of the following may be substituted for one year of specialized experience:

1. An overall "B" grade point average equaling 2.9 or better of a possible 4.0.
2. Standing in the upper third of the class.
3. A "B+" (3.5) grade point average or better in major fields of study such as business or public administration, criminal justice, political science, law, management or specialized or significant course work in a field closely related to the subject matter of this position.
4. Election to membership in Phi Beta Kappa, Sigma XI, or one of the National Honor Scholastic Societies meeting the minimum requirements of the Association of College Honor Societies, other than Freshman Honor Societies.

Completion of one academic year (18 semester hours) of graduate study in an accredited university in such fields as business or public administration, criminal justice, political science, law, management or other field closely related to the subject matter of the position, may be substituted for one year of specialized experience.

Completion of a master's degree or two years of graduate study (36 semester hours) in an accredited university in such fields as business or public administration, criminal justice, political science, law, management or other field closely related to the subject matter of the position, or completion of a Juris Doctor (JD), may be substituted for two years of specialized experience.

H. PHYSICAL DEMANDS AND WORK ENVIRONMENT

The physical demands described are representative of those required in order for an individual to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the individual is regularly required to sit and talk or hear. The individual frequently is required to use hands to touch, handle, or feel. The individual is frequently required to stand, walk and reach with hands and arms. The individual must occasionally lift and/or move up to 25 pounds. Frequent travel to court

locations and detention facilities may be required. The individual will spend most of his/her time in an office environment.