

Capital Defender Attorney Positions

Capital Defender offices are principally trial-level offices, representing indigent clients charged with capital murder in cases throughout four (4) regions in Virginia, Northern, Southwest, Southeast, and Central. The offices are involved in a smaller number of direct appeals of capital convictions and provide resource and consultative services to other capital trial counsel. Click on the position title for a sample position job description. Please note position descriptions may vary depending on the Public/Capital Defender Office's qualifications.

Capital Defender

The Capital Defender serves as the office's supervising trial attorney and is responsible for recruiting, hiring, and supervising attorneys and support staff, identifying and ensuring that the attorneys and staff receive appropriate training and continuing education, ensuring attorneys have knowledge and fully comply with the Standards of Practice for Indigent Defense representation, as well as researching, writing and arguing appeals before the Court of Appeals and Supreme Court of Virginia and identifying appropriate sentencing alternatives for clients. Additionally, the Capital Defender reviews defense team work, responds to questions and offers directions for case preparation, trial strategies, client contacts and communications, plea negotiation and sentencing advocacy. Additional responsibilities include preparing, submitting, and carefully managing the office budget along with preparation and submission of required administrative reports and documentation. The Capital Defender must be a member of the Virginia State Bar in good standing, have comprehensive knowledge of Virginia Criminal law, Constitutional law and the Standards of Practice, considerable knowledge of principles of management and public administration, and knowledge of agencies that interact with the Public Defender's office. Preferred qualifications include demonstrated experience in criminal litigation and felony practice at trial and appeal along with significant familiarity of the requisite court system, significant training in death penalty litigation, analysis and introduction of forensic evidence and prior experience defending indigent criminal defendants.

Deputy Capital Defender

The Deputy Capital Defender advises as to constitutional law consideration and the creation of trial records which are advantageous to the clients and to advance case law along with contracting with outside mitigation, mental health, and other experts, and researching, writing and arguing appeals before the Court of Appeals and Supreme Court of Virginia and identifying appropriate sentencing alternatives for clients. A Virginia State Bar license is required along with extensive working knowledge of constitutional and death penalty law, comprehensive experience in the creative application of constitutional law as well as qualifications to serve as counsel or co-counsel in capital trials. Additional qualifications include a demonstrated skill and experience in written and oral advocacy and a valid driver's license with the ability to travel within and without the state, including travel to courts and various correctional institutions. Experience working with disadvantaged client groups as well as knowledge of mental health mitigation issues associated with the criminal justice system is preferred.

Assistant Capital Defender

The Assistant Capital Defender provides effective assistance of counsel in accordance with the ABA Guidelines for the Appointment and Performance of Defense Counsel in Death Penalty Cases. Duties for the position include legal research, analysis, and writing of motions and briefs, development and implementation of case theory, investigation, and litigation strategies, investigation and preparation of evidence for pre-trial negotiations and hearings, trial and post-trial litigation, the identification, selection, preparation, and presentation of expert witnesses and researching, writing and arguing appeals before the Court of Appeals and Supreme Court of Virginia and identifying appropriate sentencing alternatives for clients. Courtroom advocacy in pre-trial, trial, post-trial, and appellate proceedings is important along

with the development and maintenance of positive and productive working relationships with clients and significant other case participants. A Virginia State Bar license is required along with significant criminal defense experience, demonstrated skill and experience in written and oral advocacy and a valid driver's license with the ability and willingness to travel within and without the state, including travel to courts and various correctional institutions. Experience or training concerning mental health issues associated with the criminal justice system is preferred along with experience working with indigent clients.