Office of the State Public Defender
Legal Counsel

Position Summary: Under the direction of the Deputy State Public Defender, perform duties of Legal Counsel for the State Public Defender. Provide legal guidance and advice to the State Public Defender on all legal matters affecting the agency. The Legal Counsel represents the agency in administrative and court proceedings, drafts proposed statutes, coordinates the agency’s development and responses to administrative rule changes, responds to open records requests, and serves as primary contact and coordinator with the Department of Justice for all claims against the agency.

Special Requirement: Possess and maintain a license to practice law in Wisconsin.

40% A. Represent the Board, the agency, the State Public Defender and the Deputy State Public Defender in all legal matters related to the management of the agency, either directly or by obtaining and assisting outside counsel in such representation, and advise management on all legal matters affecting the agency.

A1. Prepare correspondence for the State Public Defender on legal matters affecting the agency.

A2. Conduct legal research and prepare legal documents, including briefs, memoranda, motions, and proposed orders.


A4. Advise the SPD Board and the State Public Defender on all claims filed against the agency.

A5. Represent the agency in all state and federal administrative hearings.

A6. Represent the agency in responses to Supreme Court Rules Petitions.

A7. Support Assigned Counsel Division (ACD) with communications and administrative proceedings, including hearings on certification, decertification, and payment of private bar attorneys.

A8. Provide representation of staff on assessments of costs and contempt of court cases.

A9. Respond to local judicial actions, including consultation with SPD managers and participation in court proceedings on behalf of the agency.

A10. Respond to other administrative bodies charged with investigating complaints.
A12. Serve as agency liaison with the Department of Justice in litigation filed in state and federal court.

15%  B.  Analyze, prepare, and review administrative rules and legislative proposals.

B1. Collaborate with Legislative Liaison on analysis of proposed and pending legislation for impact on the agency.

B2. Collaborate with Legislative Liaison on drafting proposed statutes and responses to proposed and pending legislation.

B3. Coordinate necessary legal reviews with division directors and other affected staff regarding proposed changes.

B4. Work with budget director to prepare fiscal estimates for pending legislation.

B5. Testify before legislative committees at the request of the State Public Defender or Deputy Public Defender.


B7. Oversee implementation of hearing process for proposed administrative rules.

B8. Review and analyze changes to the Wisconsin Administrative Code and communicate changes.

B9. Respond to inquiries from staff regarding administrative rules.

5%  C.  Provide support to State Public Defender Board.

C1. Oversee agency’s compliance with open meetings laws and notice requirements.

C2. Oversee board elections and interpret by-laws.

C3. Provide guidance and advice to board members with regard to duties and responsibilities.

C4. Draft documents and correspondence at the Board’s direction.

30%  D.  Provide advice on issues related to employment law, labor law, and human resources practices.

D1. Ensure compliance with employment law.

D2. Advise executive staff, managers, and human resources on how to handle labor or employee situations, and practice related questions.
D3. Gather, evaluate, and/or review information in preparation for litigation of labor issues.

D4. Serve as agency counsel in employment law hearings.

D5. Advise management and other staff on recent employment law decisions and other employment law changes.

D6. Settle disputes, grievances, and personnel actions, as appropriate.

D7. Work with human resources staff and the Training Director to identify employment-related management training needs and to implement management training programs as needed.

10% E. Perform additional duties and tasks as assigned.

E1. Participate in special agency projects.

E2. Conduct research and collaborate with other managers and staff in support of agency initiatives.

E3. Collaborate with other managers to develop and implement agency policy and procedures.

E4. Represent the agency on various agency and professional committees.

E5. Perform other duties as assigned.

Knowledge, Skills, and Abilities:

1. A law degree from an accredited law school and a license to practice law (or eligibility for a law license) in the State of Wisconsin

2. Knowledge of the role of law in policy formulation and implementation

3. Knowledge of and ability in legislative drafting techniques, legal analysis skills, and legal research

4. Knowledge and ability to litigate, including skills in conducting the trial and other adversary proceedings, drafting pleadings, supervising factual investigations, preparing and questioning witnesses, and negotiating with adverse parties

5. Skill and ability to prioritize tasks and manage multiple tasks effectively

6. Skill and ability to negotiate and mediate legal issues.

7. Knowledge and skills in utilizing computers and computer systems

8. Ability to exercise independent judgment
9. Skill and ability to communicate effectively in both oral and written presentations
10. Ability to work in a professional team environment
11. Skill and ability dealing with employment and human resources