

EAST BAY CHILDREN’S LAW OFFICES
JOB ANNOUNCEMENT FOR
PROBATE GUARDIANSHIP ATTORNEY

ORGANIZATION DESCRIPTION

The East Bay Children’s Law Offices, Inc. (EBCLO), a nonprofit organization, provides free legal representation to children and youth who are the subject of abuse and neglect proceedings in Alameda County Juvenile Dependency Court and by appointment to children in probate guardianship proceedings in the Alameda County Probate Court.

Mission Statement:

The mission of the East Bay Children’s Law Offices, Inc., is to protect and defend the rights of children and youth through effective, vigorous and compassionate legal advocacy. EBCLO strives to provide a voice for children in court and to promote positive outcomes for them.

JOB DESCRIPTION

The probate guardianship attorney will be responsible for a caseload representing children to whom EBCLO has been appointed to represent pursuant to Probate Code section 1470. The position requires court appearances, trial work, participation in mediation, working closely with EBCLO’s Youth Advocate Social Worker and regular client contact. Representation includes client interviews in a variety of settings including but not limited to office, home and school; providing ongoing evaluation and investigation of the cases; preparing for and participating in all hearings, including producing a written report for most hearings; working with the Court Investigator’s office; and participating in mediations and other alternative dispute resolution efforts. The attorney will participate in frequent trainings to build legal knowledge, strengthen courtroom skills and develop a deeper understanding of relevant issues, as well as participate in EBCLO regular staff and team meetings. It is also expected that the attorney will provide advocacy for probate guardianship clients in other legal areas, including education, as appropriate.

The probate guardianship attorney performs a variety of specialized legal practice functions, including some combination of the following: Law and motion court appearances; independent legal research and writing; law library and legal database management; performance of support tasks requiring special knowledge and training; client and witness interviews; performance of other legal practice tasks and other related work.

Primary Duties:

- On assignment by East Bay Children’s Law Offices, represent clients in probate guardianship proceedings when appointed by the Probate Court pursuant to Probate Code section 1470.
- Interview clients, advise clients on legal rights, legal proceedings, and appropriate decisions regarding guardianship or custody issues; make preliminary evaluation of conflict.
- Take appropriate legal steps to best represent clients; advise clients on the proper course of action; represent clients at all phases of probate guardianship proceedings, engage in client, lay witness and expert witness contact.

- Order investigation of the case and subpoena witnesses determined to be helpful to the case; analyze facts in light of relevant legal considerations; conduct legal research; prepare litigation strategy, prepare legal memoranda, motions and briefs, and argue specific legal motions and pleadings; litigate evidentiary hearings; examine and cross-examine witnesses and challenge their qualifications; argue their case.
- Conduct contested and non-contested appearances, hearings, and trials for parties in probate guardianship proceedings, and potentially seek appropriate appellate relief from decision of the probate court by preparing and arguing writs and appeals.
- Visit homes and other placements for children, evaluating and reporting on the same subject to attorney-client privilege and as required; correspond and communicate with interested parties such as relatives, judges, court investigators and social services personnel with regard to placements, the status and legal rights of clients; and handle all legal steps needed to protect client's interests.
- Work with EBCLO Youth Advocate Social Worker to identify service needs of guardianship clients and their proposed guardians including making referrals to community resources, engaging the family with Social Services Agencies, and more.
- Participate in regular meetings with EBCLO staff and participate in general office upkeep duties, including computer data entry of case information and time keeping.
- Appear before public and private groups to make presentations and answer questions on the functions of EBCLO.

Minimum Qualifications:

- Active Member in good standing of the State Bar of California
- Strong written and verbal skills.
- Demonstrated interest and ability in working with children and youth, and with low-income diverse ethnic communities. Minimum of three years representing children in dependency or probate court required.
- Ability to work independently and be self-motivated.
- Ability to drive with valid driver's license, auto insurance, and access to use of an automobile as needed.

Knowledge and Abilities:

Knowledge of:

- Philosophy and practice of indigent defense.
- Scope and character of California statutory and constitutional law, including California Probate Code, California Welfare and Institutions Code, Code of Civil Procedure, Evidence Code, and related case law.
- Legal principles and procedures followed in the handling of probate guardianship cases, including rules of evidence, rules of court, trial litigation, and appellate procedure. An extensive knowledge of juvenile dependency law and procedure may suffice if applicant does not have probate guardianship experience specifically.
- Basic personal computer system.
- Research from published and electronic legal source materials.
- Terminology common to forensics, psychology, substance abuse, child development, family law, probate law and juvenile law.

- Legal source materials.

Ability to:

- Perform legal research quickly and with initiative.
- Work effectively with colleagues and representatives of other agencies.
- Follow written and oral instructions.
- Prepare written legal arguments and other reports in a logical and concise manner.
- Legal research, including the interpretation of codes, statutes, procedures and forms.
- Summarize and evaluate complex documents and factual situations.
- Understand and apply legal principles to factual situations.
- Communicate effectively with clients, lay witnesses, expert witnesses, child welfare workers, court investigators, other lawyers and Judges.
- Analyze situations accurately and adopt an effective course of action.
- Elicit, analyze, and apply legal data and evidence.
- Perform in a stressful environment.
- Make appropriate decisions and exercise good judgment.
- Interpersonal sensitivity and flexibility.
- Establish working relationships with clients of diverse racial, cultural, socio-economic and age backgrounds and inspire their confidence.
- Utilize advanced litigation techniques, preserving the trial record by making timely and appropriate objections and motions, with demonstrated facility in writ procedures.
- Present legal arguments clearly, logically, and effectively in oral and written form.
- Handle legal correspondence and procedures with tact and accuracy.
- Maintain records, logs, and case files and prepare reports.

SALARY: Starting and \$61,000 and commensurate with experience

TO APPLY: Send cover letter, resume, and a list of three references to:

ebclojobs@gmail.com (Please specify “Probate Guardianship Attorney” in subject line)

The East Bay Children’s Law Offices is an equal opportunity employer, a drug-free workplace, and an ADA accessible facility. The East Bay Children’s Law Offices values and promotes diversity. Applications invited regardless of race, gender, national origin, sexual orientation, age or disability.