

## JOB ANNOUNCEMENT

The New Hampshire Public Defender, a private, nonprofit corporation established in 1985 to carry out the Constitutional mandate of providing counsel for the indigent accused, seeks an Executive Director to oversee the Defender's statewide operations. Reporting to the Board of Directors, the Executive Director is the senior-most executive at the New Hampshire Public Defender. The Executive Director oversees 11 offices and leads and inspires more than 250 employees – lawyers, social workers, investigators, paralegals, support staff and administrative teams – to perform at the highest standards of practice in service of its clients throughout the state.

The successful candidate must possess strong leadership skills and significant management experience. This position requires the ability to master a variety of responsibilities, which include budgeting, finance, human resource issues, labor relations, regulatory compliance, public administration, and participation in the legislative process. The attorneys at the Public Defender handle over 28,000 criminal and delinquency cases each year, therefore, the Public Defender's Executive Director must have a demonstrated commitment to providing high-quality representation to the poor and be able to articulate to external constituencies the value and importance of that work.

The successful candidate must also be able to develop and cultivate relationships with key stakeholders; be able to maintain a culture of integrity, high ethical standards, accountability and performance, creating a spirit of inclusiveness; and be able to foster a mission and cause that attracts and retains the best professional staff for representation of the Defender's clients.

More information regarding the New Hampshire Public Defender and the position may be obtained at [www.nhpd.org](http://www.nhpd.org).

Applicants should submit a letter of interest, resume, and the names and contact information of three references to the attention of the Search Committee Chairs at: [agrinavic@nhpd.org](mailto:agrinavic@nhpd.org).

The deadline for applications is May 20, 2022. Following the search process, the designation and appointment of the Executive Director will be made by the Public Defender's Board of Directors.

As an equal opportunity employer, the New Hampshire Public Defender is committed to diversity, equity and inclusion. We do not discriminate on the basis of race, color, religion, sex, gender identity, age, marital status, sexual orientation, national origin, physical or mental disability, pregnancy or any other protect category in our conditions of employment or in our hiring.

## **NHPD EXECUTIVE DIRECTOR JOB DESCRIPTION**

### **General - History and Structure**

New Hampshire Public Defender is a private non-profit corporation providing indigent criminal defense services throughout New Hampshire. NHPD has its origins in a pilot project of New Hampshire Legal Assistance in the 1970's. It became an independent corporation in 1985. The Program has grown over the years. It now has approximately 130 attorneys, 30 investigators, and a total staff of 250. Organized into 10 trial offices and an appellate office, NHPD provided representation in more than 18,000 matters during the year 2021.

NHPD is well known within New Hampshire and throughout the country for providing high-quality representation through recruiting and training talented, committed lawyers and staff, providing excellent resources, and controlling workload. Throughout its history, NHPD has enjoyed the support of the legislature, court system, and Judicial Council, as well as the legal community at large. The current appropriation level for NHPD is more than \$23.75 million per year.

Although funded through state appropriations, NHPD has significant operational independence. Its contract permits caseload control by declining new court assignments when appropriate. NHPD's oversight agency - the Judicial Council -- is an independent body made up of appointees of the Supreme Court, Governor, and both houses of the Legislature, as well as ex officio members. No prosecutors or judges participate in the indigent defense oversight functions of the Judicial Council.

NHPD is governed by a Board of Directors, made up of 10 members with a mix of defense, prosecution, civil litigation and financial experience. Recent members have included some of New Hampshire's original public defender lawyers, senior litigation partners in the larger law firms in New Hampshire, and former heads of the criminal division of the state attorney general's office. NHPD has never included active judges or prosecutors on the Board.

## **General Nature of the Position**

The Executive Director is the leader of one of the largest law firms in the state and must be committed to providing high quality criminal defense services to indigent people. The Executive Director is tasked with maintaining a diverse and inclusive organization that puts client service and quality legal work at the forefront of its mission.

The Executive Director is appointed by the Board of Directors and is responsible for all aspects of NHPD's operations, including its legal services, business operations, and relations with outside agencies. The Executive Director is assisted by a Director of Legal Services and a Litigation Director. Other members of administration include an HR manager, an administrative services manager, a business manager, and an IT manager.

### **Branch Office Oversight**

With the Deputy Directors, the Director oversees NHPD's branch office operations. This includes the selection, training, and supervision of Managing Attorneys. The Director also supervises the administrative operations of the branch offices. The Director travels to the offices and is engaged in criminal justice activities at the local level. The Director consults with Managing Attorneys concerning attorney workload, relations with the courts, rate of caseload intake from the courts, etc.

### **Oversight of Client Services**

The Director consults with NHPD attorneys on their most difficult and complex cases and is actively involved in the identification of and advancement of important legal issues in NHPD cases. The Director is the principal advisor on professional conduct matters that arise in NHPD cases.

### **Program Development**

The Director is responsible for the ongoing improvement of NHPD's methods of

providing representation. This includes responding to changes in the criminal justice system and other challenges so that client services are maintained at a high level of quality. The Director is closely involved in the recruiting, hiring and training of NHPD's lawyers. Working closely with NHPD's the training team, the Director oversees NHPD's training program, resource development, and litigation initiatives to support excellent representation. NHPD's training and resources are made available to a limited extent to private lawyers providing conflict and overflow representation.

#### Board Relations

The Director staffs and attends quarterly meetings of NHPD's Board of Directors and of the Board's Finance Committee, keeping the Board informed about the business operations of NHPD, case activities, staffing levels, and the like. Major policy decisions are made with the approval of the Board. There is also regular informal consultation with members of the Board.

#### **Government and Other External Relations**

The Executive Director is the primary representative of New Hampshire Public Defender in its relationships with other justice system organizations, oversight bodies, and other constituencies. The Director maintains contact with NHPD's oversight agency, the New Hampshire Judicial Council, both through formal reporting and informal consultation. The Judicial Council frequently calls upon the Director and other NHPD senior staff to provide expertise in the area of criminal law and the criminal justice system as the Council performs its various activities.

The Director serves on various Bar, government and court committees as the representative of New Hampshire Public Defender. Frequently, the Director of NHPD is the sole representative of the criminal defense bar in New Hampshire in various policymaking forums. The Director sits on the Interbranch Criminal & Juvenile Justice Council, an organization composed of the leaders of the court systems, prosecutors, social service agencies, etc., that periodically reviews developments in the criminal justice system and initiates various changes in the system.

The Director is active in national organizations such as the National Association of Public Defenders and Chief Defenders. These activities allow NHPD to remain current on national developments in the indigent defense area and maintain access to consulting resources. Periodically, the Director is called upon to appear before New Hampshire legislature to give information and advice about pending legislation. NHPD does not actively lobby except on matters of indigent defense funding, but has historically served as a source of information to the legislature.

The Director is actively involved in the appropriations process for indigent defense. The Director works closely with the Director of the Judicial Council in these activities. New Hampshire has a two-year funding cycle that begins in the summer preceding the legislative session. The next appropriations cycle begins in the summer of 2022.

## **EXECUTIVE DIRECTOR JOB DESCRIPTION TYPICAL DUTIES AND RESPONSIBILITIES**

Under the direction of the Board of Directors, the Executive Director of the New Hampshire Public Defender, a nonprofit corporation, is responsible for overall management, operation, and promotion of the New Hampshire Public Defender program, and protection of the program's financial assets while ensuring compliance with Board directives and applicable statutory requirements. The Executive Director is a full-time exempt position. The Executive Director has the following duties, as well as any other duties the board of directors may identify from time to time.

### **Essential Duties and Responsibilities:**

Lead the Public Defender Program in all aspects of providing criminal defense service to indigent clients in New Hampshire.

### Leadership, Management, Personnel, and Training

- Establishes and maintains an administrative structure which insures the efficient and high quality delivery of legal services to indigent criminal defendants in New Hampshire.
- Assigns duties and supervises the activities of deputy directors, managing attorneys, and senior office staff.
- Supervises and directs those who organize training for attorneys and staff as necessary to maintain and improve skills.
- Supervises and directs those who monitor caseloads of each office and lawyer.
- Supervises and directs the hiring of new lawyers and lateral hires.
- Supervises and directs those who provide and maintain appropriate information technology and equipment needs for program.
- Attends professional meetings to stay informed of important issues around the country.
- Works closely with attorneys and staff to ensure they are provided with appropriate support systems and guidance.

### Funding and Budget

- Plans a budget as needed to secure funding from the Judicial Council and legislature, and as needed for proper functioning of the program, with the assistance of the Board, the Finance Committee, and staff.
- Operates the program in accordance with the budget.

- Ensures that accurate and timely information regarding the NHPD budget and financial operations is available for internal use, for the board of directors, for the Judicial Council, for the legislature, and for annual audits.
- Supervises and directs the activities of the Program's business manager to ensure that accounting operations are accurate, timely, and consistent with the needs of the organization and general accounting standards.
- With Business Manager oversees and arranges annual audits of program finances.
- Contract for and maintain all necessary insurance programs including health insurances, professional liability insurance and general business liability and property insurance and such other insurance products as may be appropriate; negotiate or renegotiate property leases.
- Sets employee compensation so that, considering all relevant factors, employees are compensated fairly to the degree possible within the budget

Supervises negotiations with the State Employees Association and other union representatives as necessary Human Relations

- Leads and supervises a diverse and inclusive community of committed defenders, investigators, social workers, legal assistants, interns and clerical staff.
- Assures that diversity and inclusion are considered in all aspects of the operation of the Program including but not limited to hiring decisions.
- Works to assure that all members of the public defender community have a safe and affirming workplace.
- Assures that the Program complies with all applicable employee relations laws including all laws that prohibit discrimination on the basis of race, religion, gender, sex, sexual orientation,
- Assures that to the extent possible the program maintains offices that are in proximity to the clients served by the Program.

Relationships with Judicial Council, Legislature, Judiciary, and Bar at Large

- Maintains a close relationship with Judicial Council and its Executive Director. Provides program information and support to Council.
- Bids on and negotiates contracts with the Judicial Council.
- Is available to provide information to legislative committees for the benefit of the program, the legislature, and the criminal justice system in general.

### Relationship with the Board of Directors

- Reports on all of the foregoing matters to the board of directors at Board of Directors meetings.
- Reports to the board of directors on goals developed with the board and on the performance of Executive Director duties generally.
- Recommends to the Board of Directors changes in program policies and procedures as necessary.
- Solicits advice and support from the board as needed.

### **Core Competencies Leadership:**

- Provides visible leadership skills and qualities to all program employees.
- Communication: Communicates effectively with multiple audiences using a variety of formats.
- Initiative in fulfilling the goals of the organization: Displays initiative in developing action plans and resolving problems as they occur, in consultation with the President and other members of the Board.
- Job knowledge: Understands the technical aspects of managing a nonprofit organization. Provides advice and guidance to other employees directly. Clearly understands the mission of the program and continuously works to promote the program and its goals.
- Legislative process: Knowledge of the legislative substantive and appropriations processes.
- Accounting: Maintains effective systems of internal controls to account for all receipts and expenditures of funds.

### **Education, Experience and Other Requirements:**

- Law degree;
- Member in good standing of the New Hampshire Bar;
- Experience as a criminal defense trial lawyer
- Demonstrated commitment to the provision of high quality representation to indigent people.
- Valid driver's license;



- Must be able to travel for the business of the program.