
COMPETENCY PROFILE OF CORRECTIONAL ATTORNEY

Sponsored by



U.S. DEPARTMENT OF JUSTICE
National Institute of Corrections

July 1992

CORRECTIONAL ATTORNEYS

... advise, counsel, and represent the administrators and employees of Federal, state, and local correctional agencies in legal matters.

Duties



| | | | | | | |
|---|--|---|---|--|---|---|
| A | Defend litigation | A-1 Analyze case | A-2 Draft motions, answer, & discovery | A-3 Respond to motions & discovery requests | A-4 Prepare for trial | A-5 Conduct trial |
| B | Appeal litigation | B-1 Determine need for appeal/continue appeal | B-2 Review/follow court rules/procedures | B-3 File appeal | B-4 Complete procedural steps prior to filing brief | B-5 Prepare & file brief & appendix |
| C | Manage caseload | C-1 Assess/prioritize caseload/resources | C-2 Establish/maintain office/system-wide docket control | C-3 Establish/maintain/organize files/archives | C-4 Strategize best method of handling specific case | C-5 Assess/prioritize case-load/resources on regular basis |
| D | Initiate litigation | D-1 Identify issue(s), proper plaintiff & proper forum | D-2 Develop theory of case & conduct research | D-3 Prepare & file pleadings, motion, & file discovery | D-4 Respond to motions & discovery requests | D-5 Prepare for trial |
| E | Conduct legal research | E-1 Review request for information | E-2 Consult resources (policy, statutes, case law, etc.) | E-3 Analyze the information | E-4 Formulate response | E-5 Prepare & finalize response |
| F | Participate in executive functions | F-1 Establish vision, mission, goals for agency | F-2 Assure consistency of goals w/ criminal justice policies | F-3 Establish positive relationships w/ external persons/agencies | F-4 Facilitate leadership & continuous quality improvement | F-5 Participate in executive retreats/meetings |
| G | Draft, negotiate, monitor contracts, & agreements | G-1 Draft/assist in development of format/clauses | G-2 Review requests for amended/new agreements | G-3 Research / consult with parties | G-4 Circulate for comment/review amended/new contracts | G-5 Conduct/assist with negotiations |



July 1992
Longmont, Colorado

Tasks ➔

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|--|---|--|--|--|--|
| A-6 Assess need for & file appeal | | | | | |
| B-6 Prepare & assess oral argument | B-7 Assess need for further appeal/ settlement | | | | |
| C-6 Establish/ accomplish goal for closure of cases | | | | | |
| D-6 Conduct trial | D-7 Assess need for & file appeal | | | | |
| E-6 Disseminate & archive response | | | | | |
| F-6 Maintain open diplomatic communication/ accessibility | F-7 Participate in mentoring activities | F-8 Develop & implement positive reinforcement procedures | | | |
| G-6 Revise/ finalize and disseminate | G-7 Assist implementation of requirements | G-8 Develop forms/formats for compliance | G-9 Conduct/ assist with audits | | |

CORRECTIONAL ATTORNEY

Duties



| | | | | | | |
|---|---|---|--|--|---|--|
| H | Draft & audit policies & procedures | H-1 Collect & review existing policies & procedures | H-2 Conduct legal research | H-3 Develop & modify policies & procedures | H-4 Advise & counsel w/ dept. heads regarding modifications | H-5 Finalize policies & procedures |
| I | Advise & participate in H.R./ personnel matters | I-1 Advise & counsel on all aspects of H.R. & personnel matters | I-2 Determine implications of Federal, state, local laws (union, vendor, etc.) | I-3 Disseminate H.R./personnel laws & regulations | I-4 Analyze, formulate, & recommend responses to queries | I-5 Formulate responses to individual personnel cases |
| J | Conduct & coordinate staff legal training | J-1 Review & evaluate agency legal training | J-2 Review staff training requests & prior training evaluations | J-3 Identify & prioritize legal training needs | J-4 Determine resources & logistics | J-5 Coordinate with & advise training directors |
| K | Participate in professional development | K-1 Determine needs for professional growth | K-2 Identify topics/offerings available/feasible | K-3 Register/ attend training events | K-4 Report attendance to appropriate authorities | K-5 Review & disseminate information/ materials |
| L | Advise in budget process | L-1 Advise & counsel re Federal, state, local laws affecting budget | L-2 Advise re budgetary impact of court decrees & anticipated litigation | L-3 Review & evaluate budget with Federal, state, & local laws | L-4 Respond to inquiries from administrator | L-5 Collect & review all contracts &/or renewals for budget impact |
| M | Advise & participate in legislative process | M-1 Review in-house legislative needs/proposed legislation | M-2 Analyze, evaluate, & recommend re legislation | M-3 Draft/ review legislation, justification, & opposition | M-4 Assist or lobby for passage/defeat of legislation | M-5 Testify/ assist legislative support/ opposition |
| N | Advise & participate in public/media relations | N-1 Review laws/policies to determine releases | N-2 Advise what information can be legally released | N-3 Assist in policy re how information is released | N-4 Assist in drafting press releases | N-5 Serve as spokesperson & disseminate information |



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|--|---|--|--|--|--|
| H-6 Disseminate policies & procedures | H-7 Develop audit forms/ format for compliance | H-8 Conduct audits | | | |
| I-6 Assist in resolution of individual personnel cases | | | | | |
| J-6 Develop lesson plans and materials | J-7 Deliver training | J-8 Synthesize, translate, & disseminate information to staff | | | |
| K-6 Participate/network in professional organizations/ activities | | | | | |
| L-6 Prepare legal department budget | | | | | |
| M-6 Monitor all legislation related to operations | M-7 Inform staff of legislation status | | | | |
| N-6 Prepare for ramifications of media coverage | N-7 Participate in public education activities | | | | |

Traits & Attitudes

Professional
Dependable
Tactful
Perceptive
Resourceful
Knowledgeable
Logical
Patient
Analytical
Detailed
Credible
Ethical
Persuasive
Self-Motivated
Concise
Realistic
Assertive
Cooperative
Persistent
Compassionate
Organized
Flexible
Fair
Articulate
Empathetic
Conceptual
Determined/Committed

Knowledge & Skills

Knowledge of:

Federal/State civil rights law
Corrections case law
Title VII & relevant Federal rep.
Americans With Disabilities Act
Section 504 Rehabilitation Act
State Constitution
State &/or Federal Tort Claims Act
Environmental laws & regulations
Local/state/Federal personnel laws
Local/state/Federal agency laws
Open records/meetings laws & regs.
Contract law
AIDS law
Jail conditions law
Local/state/Federal procedural &
count rules
Evidence
Stress management techniques
Time management techniques
Training techniques
Interpersonal skills
Criminal justice system

Skills in:

Communication (oral/written)
Negotiation
Supervision
Training - Use trainer skills
Judgment
Trial advocacy
Computer operations
Maintaining confidentiality

Resource & Equipment

Resources:

Legal Dictionary & Thesaurus
Federal, state, & local court rules & regs.
Administrative rules, regulations, & policies
Professional publications & specialized texts
Easy access to adequate law library &
computerized legal research

Equipment:

Office supplies & equipment
Computers/PC
Trial & Appeal materials
Audio-visual aids & equipment

Education/Licenses

JD or LLB degree
License to practice law
Admission to practice in Federal
& state courts

**CORRECTIONAL ATTORNEY
Panel Members**

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