

## **COMMITTEE FOR PUBLIC COUNSEL SERVICES**

**44 Bromfield Street**

**Boston, MA 02108**

**(617) 482-6212**

Position Posting

### **Director of Mental Health Litigation**

**The Committee for Public Counsel Services (CPCS)** is the Massachusetts state agency that provides legal representation to indigent persons in criminal and civil matters in which there is a right to counsel under the state or federal Constitution, state statutes, or case law. The agency provides representation in criminal, delinquency, youthful offender, child welfare, mental health, sexually dangerous person, and sex offender registry cases, as well as in appeals and collateral proceedings related to these matters.

CPCS seeks a highly experienced attorney to serve as Director of the Mental Health Litigation Division.

**The Mental Health Litigation Division (MHLD)** provides trial and appellate representation to indigent persons against whom are filed petitions seeking commitment to public or private psychiatric facilities or petitions seeking surrogate decision-making authority (*e.g.*, guardianship or authorization to administer or terminate "extraordinary" treatment modalities). In commitment proceedings, representation is provided either by MHLD staff attorneys or by private attorneys certified by MHLD to accept such assignments. In guardianship proceedings, virtually all representation is provided by MHLD-certified private attorneys.

The Mental Health Litigation Division also trains, and is available to assist, criminal defense attorneys in respect to mental health issues that arise in the criminal justice context (*e.g.*, competency to stand trial, criminal responsibility).

**The Director of Mental Health Litigation** reports to the Chief Counsel and is a member of the CPCS senior management team, which develops and implements agency fiscal, operational, human resource, and legislative policies. The Director also

- Supervises all staff within and manages all aspects of the Division's operations;
- Supervises the certification and training of and representation afforded clients by private attorneys in mental health proceedings in all courts of the Commonwealth of Massachusetts;
- Assists, as necessary, CPCS's Audit & Oversight Department in its review of billings in mental health cases; and
- Regularly consults with judges, attorneys, agencies, clients, clients' family-members, and others in respect to mental health legal matters.

**Candidates for the Director of Mental Health Litigation:**

- Must be a member in good standing of the Massachusetts bar, or be licensed in another jurisdiction and eligible to practice in Massachusetts under Supreme Judicial Court Rule 3:04.
- Must have at least ten (10) years of litigation experience, a substantial portion of which must be in the practice of mental health law;
- Must demonstrate a commitment to the protection of the rights of persons with disabilities or other vulnerabilities;
- Must have significant management experience, including supervision of legal and support staff;
- Must possess strong leadership qualities, and superior analytical, interpersonal, communication, negotiation, and decision-making skills; and
- Familiarity with Massachusetts Department of Mental Health regulations, procedures and practices, and with Massachusetts criminal justice practice is strongly preferred.

**Salary:** \$104,000 – \$117,000 commensurate with experience.

**Application process:** Candidates should submit a résumé and statement of interest, as separate attachments, via e-mail to [dsimonini@publiccounsel.net](mailto:dsimonini@publiccounsel.net). Please include “Mental Health Litigation Director” in the subject of your email. Applications also may be sent by regular mail to Denise Simonini, Committee for Public Counsel Services, 44 Bromfield Street, Boston, MA, 02108 or by fax to 617-988-8495.

Applications should be received by December 16, 2011 but may be accepted until the position is filled.

**The Committee for Public Counsel Services is an equal opportunity employer.**

The agency actively seeks to diversify its workforce.

Date of Posting: November 14, 2011