



**Molly O'Neal**  
**Public Defender**

**STUDENT INTERNSHIP PROGRAM  
DESCRIPTION OF DUTIES  
APPLICATION  
RULES AND REGULATIONS**

# **ADULT CASES DUTIES RELATED TO FELONY TRIAL TEAM**

## **1. CASE PREPARATION ASSISTANCE**

- A. Review and summarize police reports, preliminary examination transcripts and other documents.
- B. Organize trial binder.
- C. Outline witness statements and testimony.
- D. Proof read verbatim transcripts from DA.

## **2. LEGAL RESEARCH**

- A. Work on trial memos.
- B. Short motions/memorandums.
- C. Sentence credit problems.

## **3. INVESTIGATIVE ASSISTANCE**

- A. Follow up on client and witness interviews.
- B. Follow up on status of investigation requests.
- C. Assist in preparation of subpoenas.
- D. Assisting in preparation of sentencing alternatives.
- E. Verifying information given by clients.

## **4. ADMINISTRATIVE ASSISTANCE**

- A. Deliver documents to client (police reports, transcripts, probation reports, etc.).
- B. Obtain waivers and releases from client/family.
- C. Respond to client inquiries.
- D. Filing motions and/or obtaining dockets.

## **5. COURTROOM ASSISTANCE**

- A. Discuss facts, arguments, theory of case.
- B. Assist in jury selection.
- C. Assist in scheduling of defense witnesses.
- D. Observe and keep notes of witnesses and testimony.

## **6. CLIENT CONTACT WORK**

- A. Investigating, assessing, and reporting on client's personal needs.
- B. Returning personal property previously held by authorities.
- C. Contacting family members.

# **ADULT CASES DUTIES RELATED TO SPECIAL TRIALS UNIT**

## **1. CASE PREPARATION ASSISTANCE**

- A. Review and summarize police reports, preliminary examination transcripts and other documents.
- B. Organize trial binder.
- C. Outline witness statements and testimony.
- D. Proof read verbatim transcripts from DA.

## **2. LEGAL RESEARCH**

- A. Work on trial memos.
- B. Short motions/memorandums.
- C. Sentence credit problems.

## **3. INVESTIGATIVE ASSISTANCE**

- A. Follow up on client and witness interviews.
- B. Follow up on status of investigation requests.
- C. Assist in preparation of subpoenas.
- D. Assisting in preparation of sentencing alternatives.
- E. Verifying information given by clients.

## **4. ADMINISTRATIVE ASSISTANCE**

- A. Deliver documents to client (police reports, transcripts, probation reports, etc.).
- B. Obtain waivers and releases from client/family.
- C. Respond to client inquiries.
- D. Filing motions and/or obtaining dockets.

## **5. COURTROOM ASSISTANCE**

- A. Discuss facts, arguments, theory of case.
- B. Assist in jury selection.
- C. Assist in scheduling of defense witnesses.
- D. Observe and keep notes of witnesses and testimony.

## **6. CLIENT CONTACT WORK**

- A. Investigating, assessing, and reporting on client's personal needs.
- B. Returning personal property previously held by authorities.
- C. Contacting family members.

# **JUVENILE CASES**

## **DUTIES RELATED TO JUVENILE COURT**

### **1. CASE PREPARATION ASSISTANCE**

- A. Review and summarize juvenile contact reports, probation reports and other documents.
- B. Organize trial binder.
- C. Outline witness statements and testimony.
- D. Proof read verbatim transcripts from DA.

### **2. LEGAL RESEARCH**

- A. Work on trial memos.
- B. Short motions/memorandums.
- C. Sentence credit problems.

### **3. INVESTIGATIVE ASSISTANCE**

- A. Follow up on client and witness interviews.
- B. Follow-up on status of investigation requests.
- C. Assist in preparation of subpoenas.
- D. Assisting in developing alternatives dispositions.
- E. Verifying information given by clients.

### **4. ADMINISTRATIVE ASSISTANCE**

- A. Deliver documents to client (juvenile contact reports, transcripts, probation reports, etc.).
- B. Obtain waivers and releases from client/family.
- C. Respond to client inquiries.
- D. Filing motions and/or obtaining dockets.

### **5. COURTROOM ASSISTANCE**

- A. Discuss facts, arguments, theory of case.
- B. Assist in scheduling of defense witnesses.
- C. Observe and keep notes of witnesses and testimony.

### **6. CLIENT CONTACT WORK**

- A. Investigating, assessing, and reporting on client's personal needs.
- B. Returning personal property previously held by authorities.
- C. Contacting family members.

## **ADULT CASES DUTIES RELATED TO PRELIMINARY EXAMINATIONS**

### **1. COURTROOM ASSISTANCE**

- A. Court calendar assistance.
- B. Respond to client inquiries.
- C. Deliver files and direct clients and witnesses to attorneys and assigned judicial departments.

### **2. INVESTIGATIVE ASSISTANCE**

- A. Follow up on status of investigation requests.

### **3. ADMINISTRATIVE ASSISTANCE**

- A. Check calendars.
- B. Number files for calendar.
- C. Copy and redact police reports for clients.
- D. Call conflicts administration regarding conflict cases.
- E. Obtain releases and deliver documents to in-custody clients.

## **ADULT CASES DUTIES RELATED TO MENTAL HEALTH CALENDAR**

### **1. DOCUMENT PREPARATION**

- A. Prepare accountings for public defender fees.
- B. Prepare petitions for fees.
- C. Prepare petitions to withdraw as attorney of record.
- D. Prepare petitions for rehearing.
- E. Prepare other miscellaneous routing petitions.

### **2. LEGAL RESEARCH**

- A. Research legal issues.

### **3. CASE PREPARATION**

- A. Review and summarize client-patient hospital charts prior to hearings and writs.
- B. Assist paralegal with client-patient interviews.
- C. Respond to phone calls.

# **INVESTIGATION DIVISION**

## **DUTIES RELATED TO INVESTIGATION OF FELONY, MISDEMEANOR AND JUVENILE CASES**

### **1. EFFECTING LEGAL SERVICE**

- A. Serve subpoenas for witnesses
- B. Serve subpoenas duces tecum for documents

### **2. RECORD RETRIEVAL**

- A. Obtain records from medical facilities, educational institutions, private and public entities
- B. Obtain Superior Court records

### **3. INTERVIEWING AND REPORT WRITING**

- A. Assist an investigator with witness interviews
- B. Prepare investigative reports and memos

### **4. WITNESS LOCATION**

- A. Research public records
- B. Use on-line databases
- C. Develop sources of information through neighborhood and business contacts

### **5. PRODUCE DEMONSTRATIVE EVIDENCE**

- A. Photograph crime scenes and evidence
- B. Print aerial map enlargements
- C. Mount courtroom exhibits

## **ALTERNATE DEFENDER OFFICE**

The Alternate Defender Office is there to meet the needs of those clients that we cannot represent because of ethical considerations. This office handles serious felonies and homicides as well as some death penalty cases. The duties in this office are the same as those listed in:

1. ADULT CASES DUTIES RELATED TO FELONY TRIAL TEAM
2. ADULT CASES DUTIES RELATED TO PRELIMINARY EXAMINATIONS
3. ADULT CASES DUTIES RELATED TO SPECIAL TRIALS UNIT

**APPLICATION FOR INTERNSHIP  
SANTA CLARA COUNTY PUBLIC DEFENDER'S OFFICE**

IF THE INTERNSHIP IS FOR CREDIT  
SUBMIT THE APPLICATION TO YOUR  
FACULTY ADVISOR FOR APPROVAL  
AND FORWARD TO PUBLIC DEFENDER

\_\_\_\_\_  
(Faculty Advisor)

\_\_\_\_\_  
(University/College)

IF THE INTERNSHIP IS NOT FOR CREDIT,  
SUBMIT THE APPLICATION TO:  
REBECCA GILBRETH  
PUBLIC DEFENDER'S OFFICE  
120 W. MISSION STREET  
SAN JOSE, CA 95110  
Telephone: 408-299-7712  
Fax: 408-938-1108  
Email: [rebeccam.gilbreth@pdo.sccgov.org](mailto:rebeccam.gilbreth@pdo.sccgov.org)

**PLEASE COMPLETE THE FOLLOWING**

Name: \_\_\_\_\_

Social Security Number: \_\_\_\_\_

Date of Application: \_\_\_\_\_

Date of Birth: \_\_\_\_\_

Local Address: \_\_\_\_\_

Local Phone: \_\_\_\_\_

Drivers License No: \_\_\_\_\_

Email: \_\_\_\_\_

Your Major: \_\_\_\_\_

Overall GPA: \_\_\_\_\_

Academic Hours Completed: \_\_\_\_\_

Degree Objective: \_\_\_\_\_

Career Objective: \_\_\_\_\_

Academic Credit Earned From This Program: \_\_\_\_\_

Can you work a minimum of 16 hours per week? \_\_\_\_\_

What days and hours will you be able to work? \_\_\_\_\_

When will you be able to start? \_\_\_\_\_

Why do you wish to be considered for this internship? (Attach separate sheet)

Have you ever been convicted of a felony or a misdemeanor? \_\_\_\_\_

If yes, please give date, type of offense, and disposition: \_\_\_\_\_

Are you a witness or victim in any criminal case pending in Santa Clara County? \_\_\_\_\_

If yes, explain: \_\_\_\_\_

Other languages you speak fluently: \_\_\_\_\_

- Check all areas of interest:
- |  |   |  |
|--|---|--|
| <input type="checkbox"/> Adult Felony              | <input type="checkbox"/> Adult Special Trials | <input type="checkbox"/> Juvenile Del  |
| <input type="checkbox"/> Adult Prelims             | <input type="checkbox"/> Mental Health        | <input type="checkbox"/> Investigation |
| <input type="checkbox"/> Alternate Defender Office |   |  |

List three references (one should be from your university/college)

NAME	ADDRESS	POSITION
_____	_____	_____
		Phone _____
_____	_____	_____
		Phone _____
_____	_____	_____
		Phone _____

Is an evaluation by the attorney required at the end of this internship?

YES \_\_\_\_\_ NO \_\_\_\_\_

Your signature: \_\_\_\_\_

Date: \_\_\_\_\_

Faculty Approval: \_\_\_\_\_

Date: \_\_\_\_\_

=====

**THE FOLLOWING IS TO BE FILLED OUT BY PUBLIC DEFENDER ATTORNEY**

Date Internship to Begin: \_\_\_\_\_ Date to End: \_\_\_\_\_

Days of the weeks and hours to be worked: \_\_\_\_\_

Jail Clearance Needed: Yes \_\_\_\_\_ No \_\_\_\_\_

Parking Permit Needed: Yes \_\_\_\_\_ No \_\_\_\_\_

I agree to supervise and work with this intern during the internship period.

Intern will not make any court appearance on behalf of the Public Defender or give any legal advice to any client represented by the Public Defender. Interns will not be bar certified unless they are supervised by the law and motion division or the misdemeanor team supervisor, and thus exempted from this policy.

\_\_\_\_\_  
Signature

Date: \_\_\_\_\_



# STUDENT RULES AND REGULATIONS PUBLIC DEFENDER STUDENT INTERNSHIP PROGRAM

Students accepted into the Public Defender Internship Program are expected to comply with the following rules and regulations. Failure to do so may be grounds for termination.

1. **ATTORNEY-CLIENT PRIVILEGE**: At all times, students must keep in confidence and not disclose any information concerning any cases handled by the Office of the Public Defender. The intern must keep confidential any information received from the client whether or not it pertains to a pending case. This legal obligation continues beyond the period of the internship. Students may not communicate with others outside of the office on such matters without express approval of the student's supervisor. Any violation of this rule will be grounds for termination from the program and may result in legal liability. Initial\_\_\_\_\_
2. **ATTENDANCE**: Students must maintain regular hours of attendance in conformity with the representation made in the student's application form, subject to mutually agreed upon modifications. Absences due to illness or other reasons may be excused. All absences must be reported to the student's supervisor. More than two unexcused absences will be grounds for termination. Initial\_\_\_\_\_
3. **CLIENT RELATIONS**: Students shall neither give legal advice nor express any opinion concerning the merits of a client's case to a client or to any third party. Students shall neither furnish nor loan any money or personal property of any kind to a client nor do any personal favors for a client. No property, documents, or other materials shall be delivered to a client without the express approval of the student's supervisor. Anything delivered to a client who is in custody shall first be cleared with the officer in charge of the jail. Under no circumstances shall any personal relationship with a client be permitted. Students shall not give clients any home telephone numbers or cell phone numbers. Initial\_\_\_\_\_
4. **COMPUTER AND CJIC ACCESS/SECURITY**: The attorney supervising the intern must bring the intern to the Information Services staff. The supervising attorney must complete the form provided by the Information Services staff. This form includes: name of intern, starting and ending date of internship, and type of computer access required. A security agreement must be signed if access to the network is required. Information Services staff will orient interns as to the permissible use of our office systems. Each intern using the network must receive and use his/her own individual logon password. An intern may not use any other person's password. Initial\_\_\_\_\_

5. **OTHER MATTERS:**

a. County Photo ID Badge

The intern must wear the photo ID badge at all times while working in the office. The photo ID badge must be returned to the Internship Coordinator upon completion of the internship. The intern must immediately notify the Personnel Secretary of a lost photo ID badge so it can be deactivated.

b. Building Access

The County photo ID badge allows the intern access to the building on weekdays between 8:00 a.m. and 5:00 p.m. Building access afterhours or on weekends must be approved by the Internship Coordinator.

c. Dress Code

Dress in a professional manner.

d. Phones

Office phones may not be used for personal calls.

e. Parking Permit

The intern will be given a temporary "C" parking permit for the County parking lot located across from 70 W. Hedding St. Parking is **not** permitted at 120 W. Mission St. or 701 Miller St.

f. Driving

The intern will **not** drive on County business (unless intern is participating in the Investigation Unit).

g. It is a rule of the office that no intern shall make any court appearance on behalf of the Public Defender or give any legal advice to any client represented by the Public Defender. Bar Certified law students supervised by the law and motion division or the misdemeanor team supervisor shall be exempted from this policy. Initial \_\_\_\_\_

A copy of these rules has been provided to the undersigned student, receipt of which is hereby acknowledged.

\_\_\_\_\_  
Student Intern

Date: \_\_\_\_\_