Representation for All Fellowship

Texas Fair Defense Project is seeking applicants for a fellowship project focusing on providing criminal defense representation for “fine-only” Class C misdemeanor cases in municipal and Justice of the Peace (JP) courts in Texas. The applicant selected for the fellowship will partner with TFDP to develop an application for the 2024-2026 Equal Justice Works fellowship and other similar fellowship programs.

This fellowship project seeks to provide and expand access to counsel in a current legal desert throughout Texas – municipal and JP courts. In these courts, people are prosecuted for "fine-only" Class C Misdemeanors, including traffic violations and the lowest-level penal code provisions. While the sentencing range for Class C misdemeanors does not include jail time, people convicted of these charges often end up in jail if they cannot afford to comply with the other conditions of their sentence, which often include paying costs, fines, and fees, and going to expensive classes. In Texas, there is a deeply entrenched cycle of ticket debt in which inability to pay for one ticket often snowballs into an insurmountable heap of additional tickets and related driver’s license suspensions and holds. Class C convictions can have immigration consequences and can serve as predicates for enhanced charges or sentencing that can result in incarceration.

Almost no one has a lawyer to represent them in municipal and JP courts. The goal of this fellowship is to improve outcomes and study the impacts of representation at these court hearings by applying a “shock treatment” to specific courts, representing everyone who wants a free lawyer there during certain, specific time periods. Part of the work will be traditional defense lawyering - the Fellow will provide direct representation to anyone in court during specific dates who wants a free lawyer for the duration of their case, including motions practice, trial, and appeals. Another part of the work will involve policy work and data analysis – the Fellow will evaluate the typical outcomes in the specific courts before, during, and after the “shock treatment” to establish the benefits of zealous defense representation in these kinds of courts to inform potential policy and litigation campaigns to expand access to counsel in these spaces.

About Texas Fair Defense Project

Texas Fair Defense Project is a nonprofit legal organization whose mission is to fight to end the criminalization of poverty. Our office environment is collaborative, mission-focused and fast-paced. We work closely with clients, advocates, policymakers, and allies to provide direct services to clients and push for greater systemic change through policy advocacy, education, and impact litigation.
Job Responsibilities
The fellow will be based in Austin or Houston, Texas, with significant travel within the state anticipated, reports to the Director of Client Services, and would be responsible for the following:

- Court watching / observation and data collection;
- Meeting prospective clients and offering legal services;
- Representing clients in Class C cases through pre-trial, trial, and, if necessary, post-conviction litigation;
- Analyzing data around case outcomes in specific municipal and JP courts;
- Producing educational materials about the impacts and importance of defense counsel in Class C cases;
- Local and statewide policy advocacy around access to counsel in Class C cases;
- Local and statewide policy advocacy and/or affirmative litigation around legal deficiencies identified in the courts in which the Fellow practices; and
- Other duties as appropriate.

Qualifications
We are seeking candidates who are organized, highly motivated, independent, and enthusiastic about making the criminal legal system more fair, particularly for low-income people accused of minor offenses.

You should have:
- A J.D. with eligibility to practice in Texas or willingness to take Texas bar exam (by Summer 2024);
- Experience with the criminal legal system (whether personally, professionally, or both);
- Experience providing excellent legal services to low-income people;
- Commitment to client-centered representation with an eye toward strategy for systemic change;
- A track record of maintaining strong working relationships with a diverse group of stakeholders; and
- A demonstrated interest in social justice.

Salary commensurate with experience and may vary according to particular fellowship plan parameters, but will start at a minimum of $62,000. TFDP provides all fellows medical and dental benefits, paid vacation, sick and family leave. TFDP is an equal opportunity employer. People of color, people who have been directly impacted by the criminal justice system, and people from other underrepresented groups are strongly encouraged to apply. This position is contingent on fellowship funding with a possibility for renewal.

To apply, please submit a cover letter, resume, and a list of three references via this form. Applications will be reviewed on a rolling basis until the position is filled.