



Indigent Defense System

Washoe County
January 12, 2016
Commission Chambers





Indigent Defense System

To protect and defend the rights of indigent people in Washoe County by providing them access to justice through professional legal representation.

Public Defender

Alternate Public Defender

Conflict Counsel

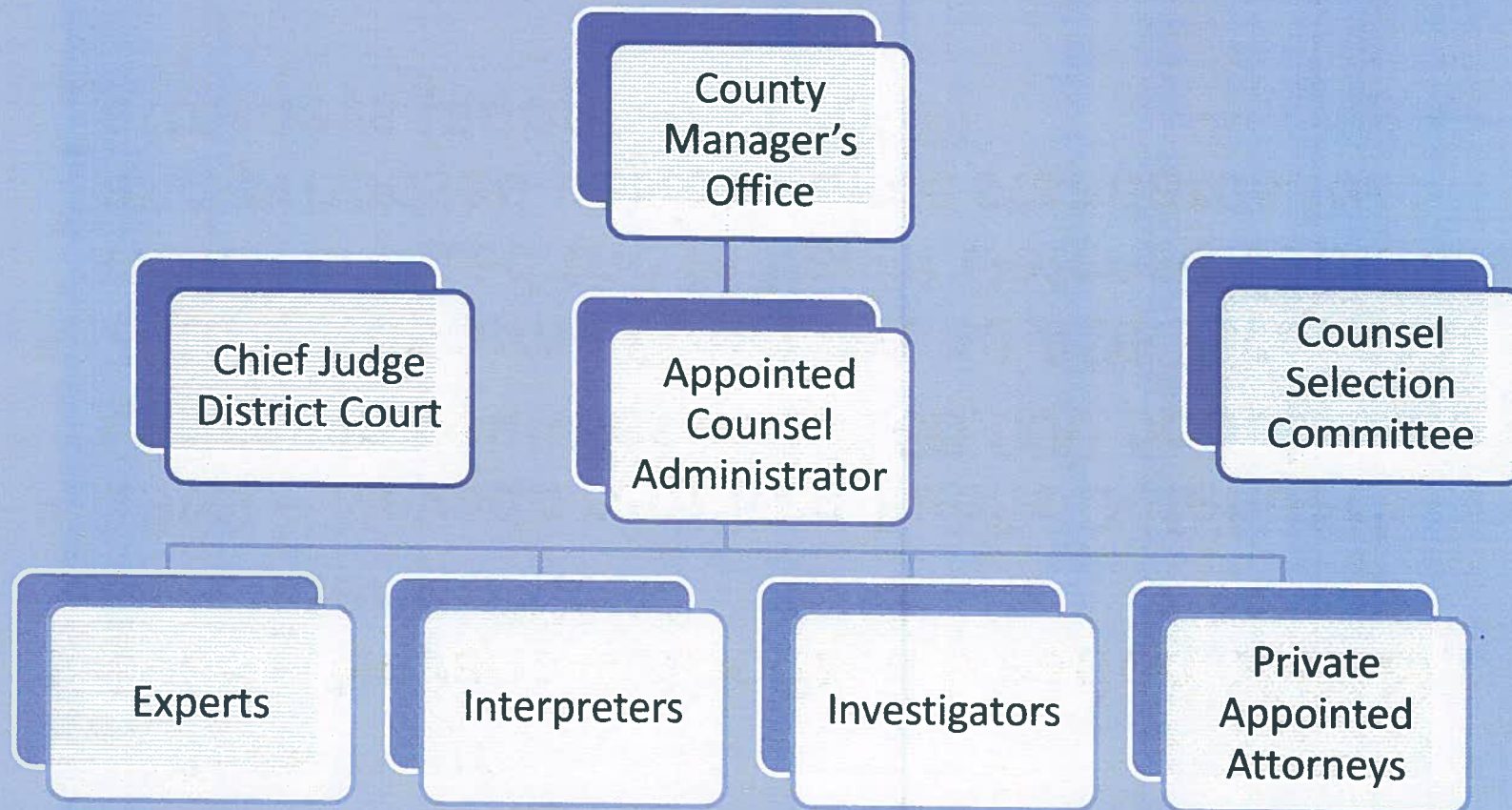


Indigent Defense System

- **1963 – Required of States by the Sixth Amendment**
- **1965 – Nevada authorized creation of Public Defender's offices**
- **1969 – Nevada required Public Defender's Offices in counties over 100,000 population**
- **2007 – Supreme Court issued ADKT No. 411 which created the Indigent Defense Commission and proposed performance standards for attorneys (adopted in 2008)**



Conflict Counsel Structure



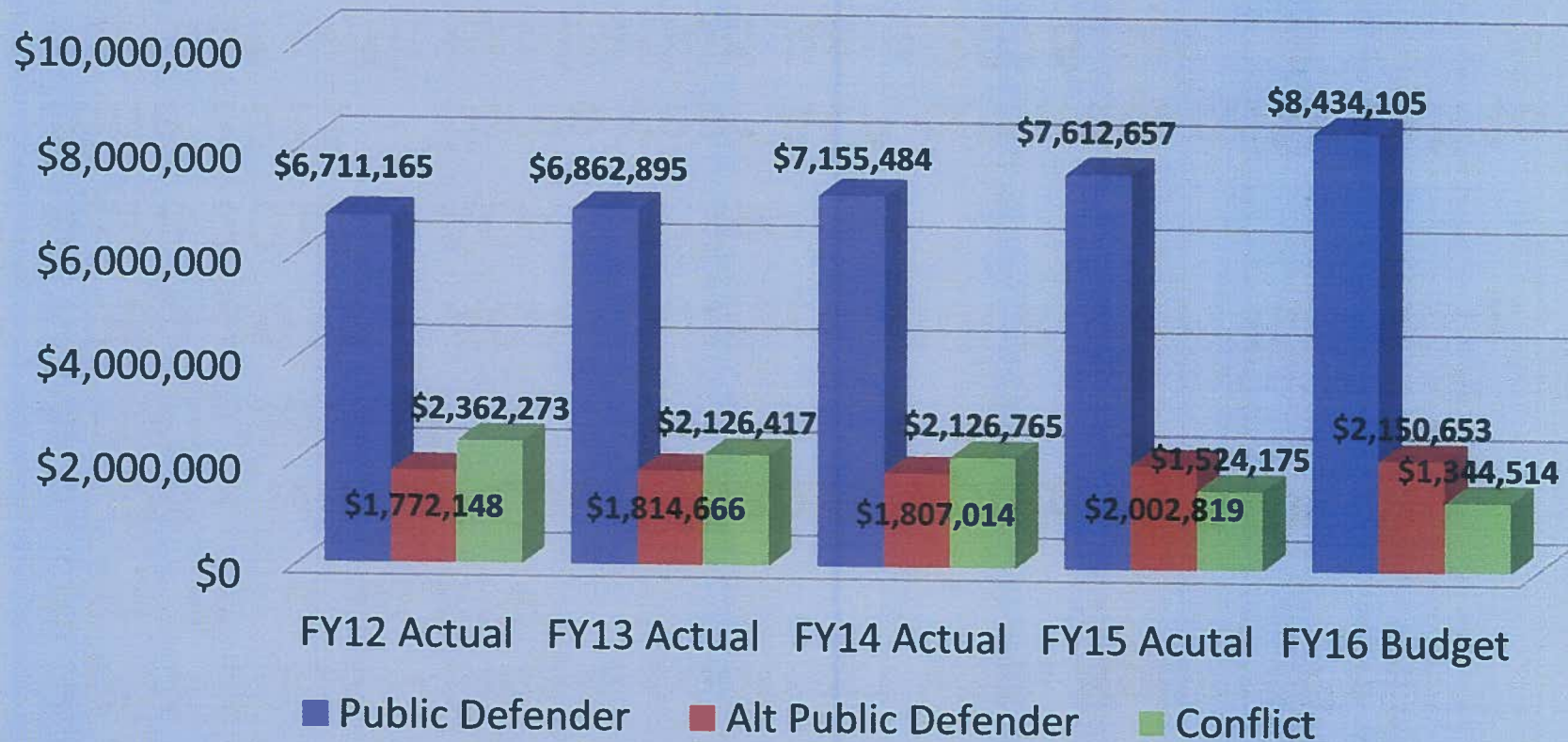


Indigent Defense System

- **1994-2007 – Single contract with Alian Group**
- **2007-2008 – Single contract with Robert Bell, Esq. thru an RFP**
- **2008 – Model Court Plan adopted by SJDC per ADKT No.411**
- **2009-2011 – ACA contract with Robert Bell, Esq.**
- **April 2011 – ACA RFP issued**
- **June 2011 – Three year ACA contract with Bell to current with expiration June 2016**



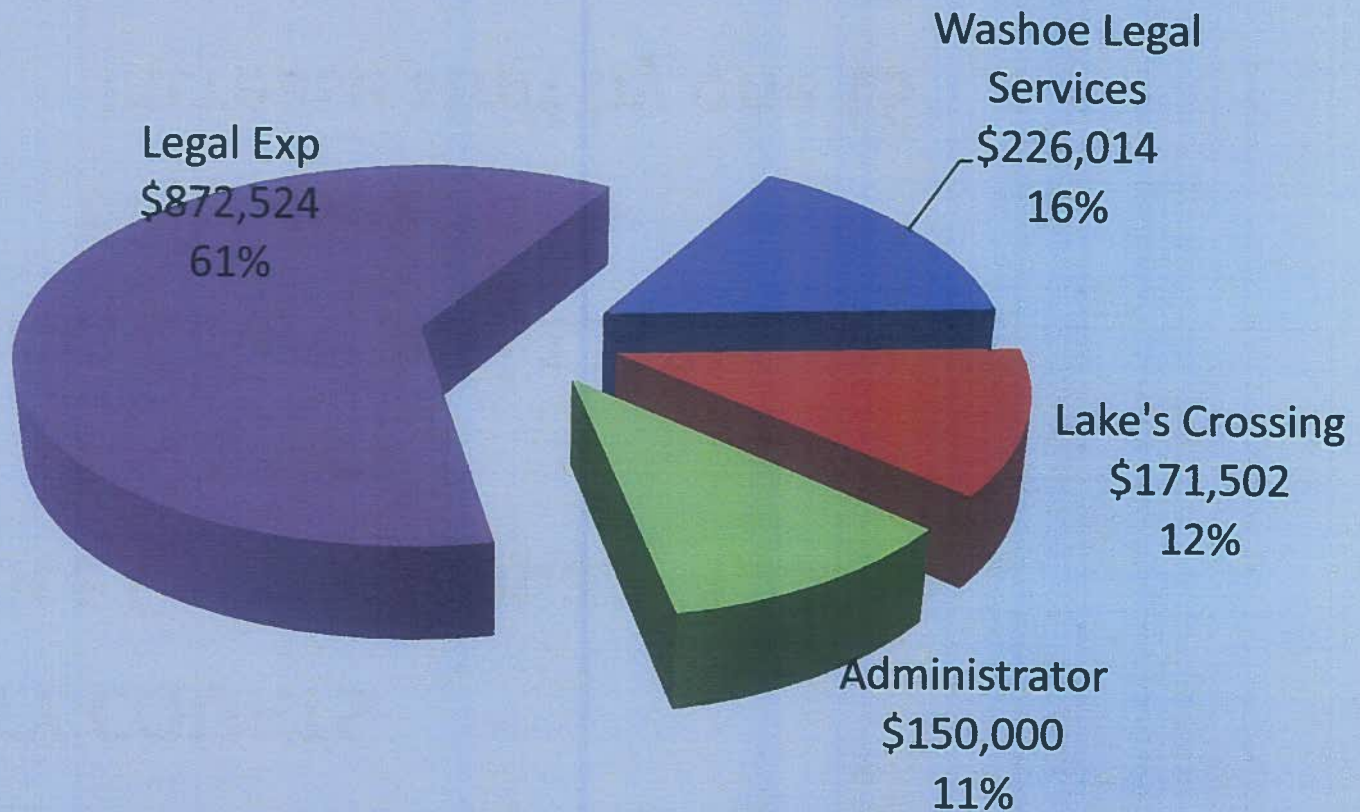
Indigent Defense Cost Trend





FY14/15 Conflict Actual Budget

\$1,524,175





CHANGES : Now and Proposed

SPECIALITY COURTS

Justice Courts: January 4, 2016

350 cases

District Court: July 1, 2016

800 cases

increase staff by one LS



Indigent Defense System

Caseload Management

- **Monthly Meeting to utilize all resources**
- **Shifting of Specialty Court Cases from PD to APD.**
 - Justice Courts: January 4, 2016
350 cases
 - District Court: July 1, 2016
800 cases



ALTERNATE PDs OFFICE

- **MISSION:** To protect the Constitutional rights of our clients by providing them a voice in their defense.
- **Vision Statement:** Provide every client equal access to justice through dedicated and zealous representation.



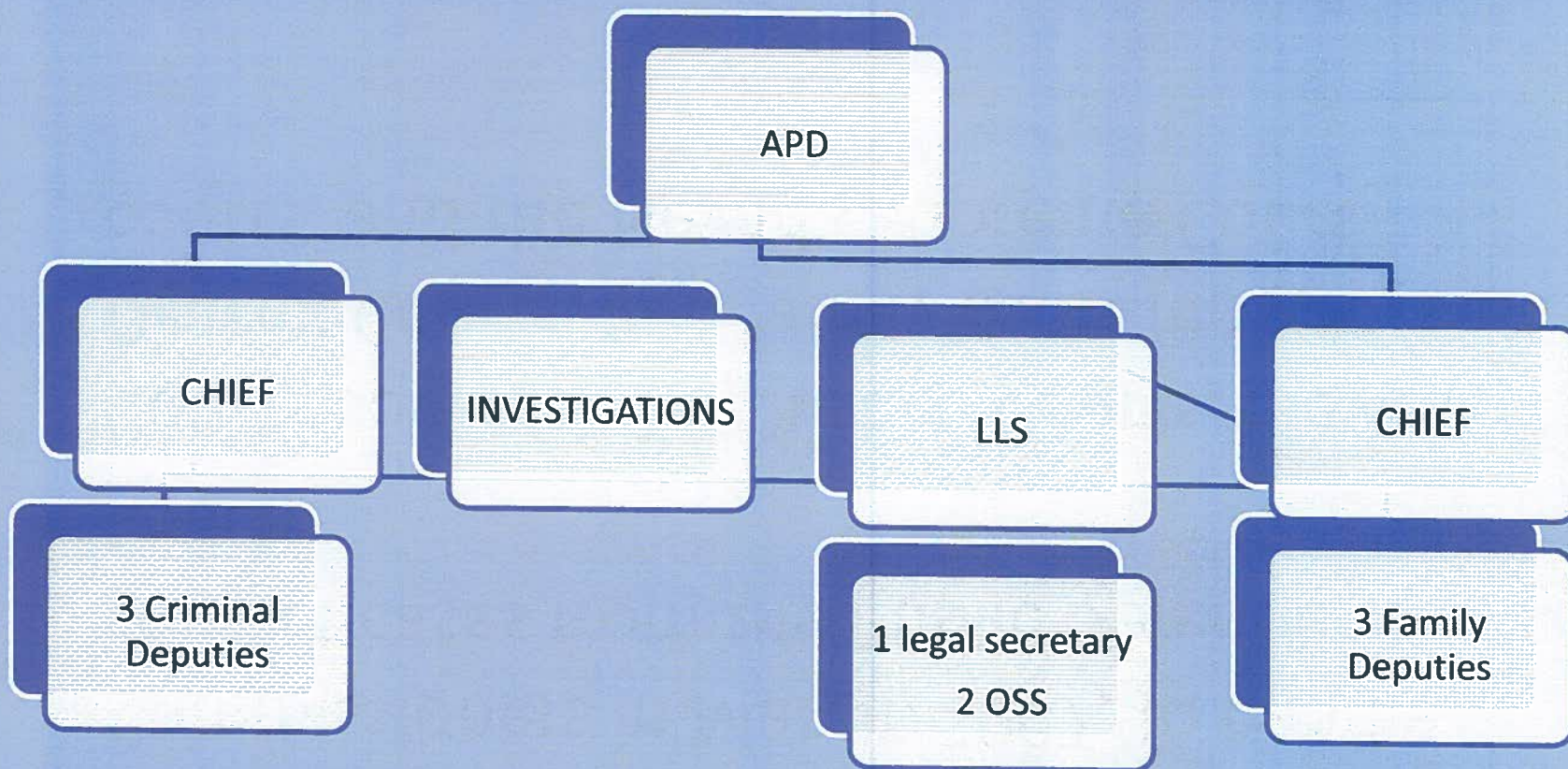
HISTORY

Created by the Board of County Commissioners in March, 2007, to handle conflict cases from the Public Defender's Office

Courts covered: Ten Justice Courts, eleven District Courts, two family court master courts, and the Nevada Supreme Court



ORGANIZATIONAL CHART





FY 15-16 BUDGET

- **Total: \$2,150,653**
 - Wages and benefits: \$1,981,378
 - Services and supplies: \$169,273
 - Office supplies, experts, interpreters, evaluations, transcripts



2013-15 APD Statistics

- **FY 14-15**
- **APD Case Total: 763**
- **Tertiary cases sent to Conflict: 371**

- **July 1 through Dec. 31, 2015:**
- **APD Case Total: 305**
- **Tertiary cases sent to Conflict: 371**



CHANGES : Now and Proposed

SPECIALITY COURTS

Justice Courts: January 4, 2016

350 cases

District Court: July 1, 2016

800 cases

increase staff by one LS



Strategic Planning

■ APD Initiatives:

Working with other departments located at 350 S. Center Street (Goal 3)

Preparing an MOU with the PDs (Goal 5)

Tablets for lawyers (Goal 6)

Adjusting resources as necessary (Goal 6)



What the APD staff loves

- **“I love it when my clients succeed.”**
- **“I never felt, in my previous job, that I was helping people. I really enjoy working here because I know I am making a difference.”**
- **“People here – clients, co-workers, fellow county employees – are treated equally, and with respect.”**
- **“There’s never a dull moment around here!”**



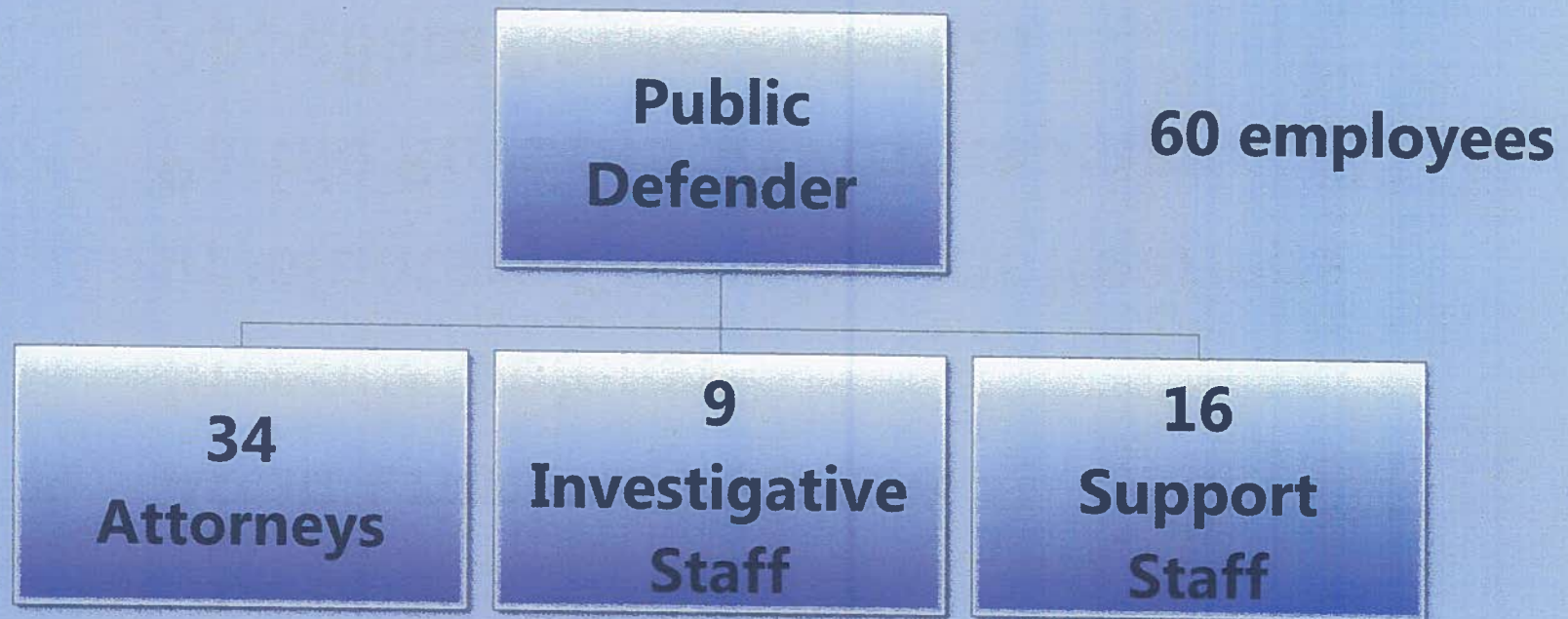
PD Mission Statement

To protect and defend the rights of indigent people in Washoe County by providing them access to justice through professional legal representation.



Advocacy ~ Integrity ~ Community

Protecting the rights of the individual
for the benefit of all.





Services provided

Constitutionally Mandated:

- **Adult Criminal Defense**
- **Juvenile Defense**
- **Involuntary Commitment Hearings**
- **Parole Revocation Proceedings**
- **Appellate Representation**
- **Specialty Court Representation**



Services provided con't

Non-Mandated:

- **Family Court Representation**

- Mandated in some cases

In re Parental Rights as to N.D.O., 2005,
115 P.3d 223, 121 Nev. 379 (see also NRS
432B.420 “if person indigent, court may
appoint attorney”.)



Washoe County Strategic Plan

- **5.1 Regional and Community Leadership: professional unified team**
 - Increase UNR participation in Bail Project
 - Help court Identify and Administer Pretrial Risk Assessment
- **6.1 Valued, Engaged Employee Workforce: Simplify Workflows**
 - Finalize and train staff on new Conflict Policy
 - Expand UNR Social Work Program to include Off-Site Supervision



2013-15 PD Statistics

	FY <u>2013</u>	<u>2014</u>	<u>2015</u>
Total cases received = (not including Specialty Courts)	7,622	7,915	4605 (9,210)
Cases Conflicted	1,759	1,579	404 (808)



2013-15 PD Statistics con't

FY	<u>2013</u>	<u>2014</u>	<u>2015</u>
Criminal	4,832	5,354	5,797
Category A (PD kept) (non-trafficking)	24	64	69
Murders cases open as of 1/1/16			21



2013-15 PD Statistics con't

	FY	<u>2013</u>	<u>2014</u>	<u>2015</u>
Family		592	426	193 (396)
Juvenile		795	841	381 (762)
Appearances		27,025	32,339	18,422 (36,844)
Appeals		35	55	19 (38)



Hospitalizations/NNAMHS

	FY	<u>2013</u>	<u>2014</u>	<u>2015</u>
NNAMHS		532	1,153	891 (1,782)

- Maximum recommended caseload per attorney is 200 cases/petitions
- 1.5 attorneys assigned



Collaborations/Accomplishments

- **Trained Crisis Intervention Team and other law enforcement on Mental Health Procedures**
- **Trained CASA volunteers on role of Parent's Counsel**
- **Continued Representation at Protective Custody Hearings**
- **Provided over 11 CLE programs (450+ credit hours), including programs with Mexican Capital Legal Assistance Program and Nevada Federal Defender's Office and Washoe County Crime Lab**
- **Utilized Law School and UNR Social Work interns**



Collaborations/Accomplishments

- **Provide representation at Initial Arraignments at Washoe County Jail**
- **Appointed to Commission to Study Evidence-Based Pretrial Release**
- **Appointed Chair of Working Group to draft new Motions Practice rules for Nevada Courts**
- **Staffed first Medically Assisted Treatment (MAT) Court for Youthful Opioid Offenders**
- **Attended Training and Community Court Site Visits through Center for Court Innovation**



Collaborations/Accomplishments

- **Appointed to Nevada Supreme Court Working Group to revise rules regarding pretrial discovery**
- **Appointed to Judicial Council's Education Requirements Study Committee to revise training and education programming for Family and General Jurisdiction Judges**
- **Implemented new Conflict Policy with assistance from Nevada State Bar and District Attorney's Office**



Trends to Watch

- **Increase in NNAMHS cases (+299%) since 2013**
- **Increase in total Criminal Cases and cases kept by PD Office, including Category A cases (51% reduction in conflicts to APD)**
- **Number of Open Murder Cases – 21**
- **Fast Track Appeal Change by Nevada Supreme Court**



Institutional Public Defense offers:

- **Quality Representation**
- **Consistent Partner in Policy and Legislative Efforts**
- **Community Collaboration**
- **Predictable Expenses**
- **Best Value to Taxpayers and Community**



Public Defender

Budget Presentation

By: Jeremy Bosler and Jim Leslie

Questions?