

## FIELD REPORTS REPORT

### A. OPERATIONAL ISSUES

- a. Provision of Services - Each region outlined the provision of services in each court and in each type of case. Services are provided, in each region, by a mix of public defenders and private lawyers. The only exception is Major Crimes which does not contract out cases. In the event of a conflict, they refer the case back to the region for contracting to private attorney.
- b. Court staffing - Three offices have attorneys specifically assigned to particular kinds of cases (felony, misdemeanor, DI, etc.) with little, if any, participation in other cases. Three offices assign attorneys to particular kinds of cases but have all attorneys acting as backup in each area. All of the smaller offices have attorneys working in all courts, all kinds of cases.
- c. Court Issues - Court issues identified dealt with our participation in specialty courts and the concerns of prosecutors or law enforcement personnel who become judges and may not forsake their prior role. There is some concern related to courts assigning us to cases outside the scope of the Act.
- d. Stakeholder issues - Some jails are occasionally not cooperative in giving us access to jailed individuals with sufficient time to meet with each defendant.  
Every RDPD is maintaining contact with stakeholders either individually or by participation in various criminal justice councils.
- e. Client complaints – each RDPD maintains a complaint log and is following policy. Some see a drop in the number of complaints and most revolve around client contact.

### B. Caseloads

- a. Personal caseloads - All RDPD have reduced their caseloads. Some have challenges with reducing their caseloads because of specific and finite problems such as attorneys out on maternity or medical leave, temporary problems. Another impact on caseloads is the need to work with younger attorneys so that they can assume some of the more serious, complex cases that the RDPD typically did.
- b. Most regions have experienced fairly flat caseload growth. One region saw a marked decline in DN cases and felt that was attributable to better representation. Only one region felt it was experiencing significant caseload growth.
- c. Jury trials – all regions report much trial activity during the term. Every region reported felony trials with some reporting multiple felony trials within the three month period and multiple misdemeanor trials.
- d. Major upcoming trials – All regions reported upcoming trials, usually multiple ones.
- e. Dispositions – the information from several regions concerns the success in getting dismissals because of active pre-trial work, motions, or hung juries.

### C. Contractors

- a. Contractor changes – several regions are seeing a decline in contract attorneys.
- b. Contractor issues – pay, payment policy, want more cases. From the other perspective, would like to see contract attorneys take advantage of CLEs.
- c. Meeting with Contractors – one region has routine meetings with contractors. All others meet individually or in groups when issues arise.

### D. Office issues

- a. Meeting with staff – vary from weekly to once every three months. Less frequent meetings occur in offices with lead attorneys who have more frequent meetings with their attorneys.
- b. Future staffing needs – most identify the need for more support staff. Several identify the need for another attorney.

- c. Office leases – two offices will probably be moving within the year. The rest of the leased area is okay.

E. Informational issues

- a. Case certification – issues with cases not being closed is often because they are still awaiting the judgments. Maybe doing it monthly is asking too much of the attorneys.
- b. Quirkly IQ issues – some judges are getting in the habit of appointing us to people who don't qualify and ordering them to pay us.
- c. Denials and overruling – every region denies some people within the timeframe and rarely does that determination get overturned by the judge. See b. also.
- d. See above
- e. Case weighting system – the system is new but there are fears that misdemeanor attorneys will have too many cases.
- f. JustWare – the general attitude is that Justware should be tailored to the attorneys and not vice versa. We should keep track of only the truly necessary information to help our organization get funding and manage assets.

F. Financial

- a. Every region was able to discuss their budget, both in terms of shortfalls and savings.
- b. Needs – printers, furniture, staff.
- c. Long term budget changes – greater costs in providing attorneys for children; challenges of servicing areas without readily available contract lawyers.
- d. Classification issues – two reclassifications identified which are currently being reviewed.
- e. FTE levels – generally dealt with above.
- f. Vendor payments – Courts are ordering us to pay for experts in DN cases even though we do not subpoena; particular experts don't stay within the pre-approval amounts.

- G. Standards compliance – One region is having trouble seeing all people before initial appearances because the courts have not agreed to seeing the people at a set time. Some concern over having enough time to see people pre-appearances. All standards issues are being referred to Eric Olson.

- H. Agency policies – more communications about them; may need to review some of them.

I. Top Ten Challenges

- a. Pay
- b. More staff
- c. Discovery
- d. Budgets
- e. Jail inmate visitation obstructions
- f. JustWare time entries
- g. Access to jails on nights and weekends
- h. More experienced contract attorneys
- i. Attorney burnout
- j. Morale – few whiners tend to poison others