

Innovation
&
Tradition
in
Indigent
Defense

Office of the Legal Defender
Maricopa County

1997-98 ANNUAL REPORT

Office of the Legal Defender
~~Maricopa County~~
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Mission:

The Maricopa County Office of the Legal Defender will provide the highest quality legal representation to those indigent persons represented by the Office.

Goals:

- I. Develop an effective representation for each client in an ethical fashion that protects his or her rights and ensures equal protection under the law.
- II. Provide the county a cost-effective method of representation for indigent clients who would otherwise be represented by the Office of Court-Appointed Counsel.
- III. Retain and develop attorneys and staff highly regarded for their respective skills in representing, investigating or supporting the defense of assigned clientele.
- IV. Create an environment in which professionalism and respect for clients and fellow employees is inherent.
- V. Endorse measures to provide effective alternatives to imprisonment and incarceration.
- VI. Maintain workloads that do not jeopardize any client's defense.

History:

The Office of the Legal Defender was created in 1995 to provide the county an alternate indigent defense office that could render excellent legal defense while efficiently and cost-effectively handling the burgeoning number of indigent defense cases that threatened to overwhelm the county system. Having the option of assigning conflict and overflow cases to another county agency allowed the county to significantly reduce the costs of designating these cases to private counsel who held contracts with the county.

The founding philosophy of the Office of the Legal Defender, which concentrated on acquiring exceptional staff and providing them with modern equipment, quickly attracted experienced and respected attorneys and support staff.

Operations:

The Office, aiming to provide the finest legal representation, regularly

- ❖ updates Office members on legal issues and court matters,
- ❖ participates in inter-agency events to maintain currentness and cooperation,
- ❖ promotes advanced technology, and
- ❖ provides training opportunities to Office members to hone or enhance their skills.

In addition to maintaining high standards within the Office, our members work with other government agencies to discover and develop more

efficient ways of utilizing the justice system's resources. Representatives from the Office routinely work with court members and community spokespersons on Criminal Justice issues, Juvenile Dependency/Severance issues, and legislative matters.

The Office's reputation for excellence has grown rapidly. Today, the Office is regarded as an outstanding legal resource as well as an ideal place for employment and extern opportunities.

Staff:

Attorneys, Criminal Division	=	26
Attorneys, Juvenile Division	=	6
Administration	=	4
Support Staff	=	10
Client Services	=	3
Dependency Services	=	4
Investigators	=	6
Legal Assistant	=	1

Attorneys:

The Office's attorneys possess a range of talents, from death penalty and white-collar crime expertise to juvenile dependency and severance expertise. Our attorneys are assigned, based on their levels of experience and their fields of interest, to handle cases in one of three areas: major felonies, regular felonies, and juvenile dependency and severance matters. The attorneys' exceptional backgrounds make them not only respected courtroom advocates, but also sought-after speakers and

writers in their respective fields.

Attorneys in the criminal division routinely work on complex felony cases that require extensive knowledge of the intricacies of Arizona's court system, criminal and constitutional law, and the various rules of procedure. They confront the daily challenge of presenting ardent, creative defenses while juggling heavy caseloads and remaining cognizant of the Office's budget constraints, all in the face of the substantial forces brought to bear by the larger and better funded prosecutorial and law enforcement agencies.

Attorneys in the Juvenile Division, who represent parents in dependency/severance cases, deal with similar caseload and budget concerns while meeting the special challenges of the juvenile system's civil courts. These attorneys strive to protect the parents' rights and preserve the integrity of Arizona families. The delicate issues in dependency and severance cases require a sensitive approach to family situations in addition to a wide-ranging knowledge of the laws covering not only dependency and severance, but also divorce, child support, guardianship, and paternity matters.

**Client Services
Division:**

The Client Services Division primarily assists attorneys with the preparation of death penalty cases for trial and mitigation hearings. In addition, assistance is available for developing case strategies, selecting jurors for trials, and formulating

sentencing plans on major and regular felony cases. By obtaining relevant social history records, interviewing clients and interested parties, serving as liaison to social and government agencies, providing clients with general information about the court process and representation, and maintaining current information on community resources, this division is able to assist attorneys in determining how to appropriately resolve cases in a cost-effective manner while maintaining the highest level of quality representation.

**Juvenile Dependency
/Severance Division:**

The Juvenile Dependency/Severance Division is a unique operation specifically designed by the Office of the Legal Defender to utilize a new team concept. The Division's Case Preparation Managers (CPMs) are organized to assist the attorneys in the representation of parents in dependency and severance actions by maintaining contact with and drawing information from the clients, court programs, state agencies, and other pertinent interested parties. By providing a base of current information and helping develop case strategies, the CPMs free the dependency/severance attorneys to concentrate on legal issues, court hearings, and trial work.

Legal Assistant:

The Legal Assistant (paralegal) assists attorneys in

legal research and trial preparation. In the area of legal research, the Legal Assistant serves as the Westlaw researcher and in-house instructor for the entire Office. During the trial preparation phase, the Legal Assistant may assist with discovery, organize evidence, prepare summaries and trial materials, and help with jury selection.

Budget:

Funding for the office is provided annually by the Maricopa County Board of Supervisors. For FY 97-98, the Office received a budget of \$2,494,929.00 for its Criminal Division and \$485,310.00 for its Juvenile Division.

During FY 97-98, the Office represented indigent individuals in

- 2,545 Regular Felony cases,
- 129 Major Felony cases,
- 236 Pre-Dependency cases,
- 113 Report and Review cases,
- and
- 42 Severance cases.