

**Innovation
&
Tradition
In
Indigent
Defense**

**Office of the Legal Defender
~ ~ Maricopa County**

1999-2000 ANNUAL REPORT

(PHOTOGRAPHS REMOVED)

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 indigent individuals assigned to us by the court, thus safeguarding the fundamental legal rights of each member of the community.

Vision:

By providing our indigent clients with the highest quality legal representation, the community will benefit immeasurably from our work, including

- 1. setting a legal standard with our adherence to exceptional, innovative representation of clients' interests by attorneys, investigators, mitigation specialists, and other team members, all while observing fiscal responsibilities;**
- 2. preserving the constitutional rights of all citizens with our dedication to protecting the rights of the accused;**
- 3. enhancing the citizenry's confidence in our legal system by consistently demanding just and equitable treatment for all.**



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 Maricopa County Office of the Public Defender, the Office of the Legal Advocate, or 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 are 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. Having the option of assigning conflict and overflow cases to another county agency allowed the county to significantly reduce the costs of directing these cases to private counsel.

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.

In the five years following its inception, the Office maintained its high standards of traditional representation while continuing to increasingly incorporate the latest technology in an economical fashion.



Clients:

The Office of the Legal Defender continues to receive assignments from the Superior Court of Arizona in Maricopa County to represent certain individuals. Our clients are:

- 1. Persons charged with serious criminal offenses, or parents in juvenile dependency / severance actions, and;**
- 2. Individuals who the court has determined are unable to afford a private attorney.**



Operations:

FY00 was in many ways “business as usual.” The Office, holding fast to its mission of the finest legal representation, regularly

- ❖ conducted self-assessments to ensure that established policies and procedures conform with legal, ethical, and government standards and goals;**
- ❖ participated in inter-agency activities to maintain currentness and cooperation;**
- ❖ updated Office members on legal issues, court matters, and governmental policy changes;**
- ❖ supported the in-house and inter-agency use of advanced technology; and**
- ❖ provided training opportunities to Office members to hone or enhance their skills.**

A different element was added to the Office structure with the incorporation of the county’s new Strategic Planning approach. Office members participated in preliminary classes and brainstorming sessions to prepare for the next fiscal year’s finalization of our Office’s Plan.

Service

In addition to maintaining high standards within the Office, our members continue to serve with other government agencies to discover and develop more efficient ways to utilize the justice system’s resources.

Representatives from the Office routinely work with court administration, public officials, and members of the community on Criminal Justice issues, Juvenile Dependency / Severance issues, and legislative matters.

During the last year, our attorneys, mitigation specialists, case preparation managers, and administration staff worked with the courts on and studied the results of the continued revisions on case flow systems. Office members provided valuable feedback to the court and others in an effort to facilitate our cases' progress through the court system. Additionally, Office members watched legislative matters that impacted our clients and staff to ensure proper representation and follow-up action as needed in the legislature.

Technology

The Office's technological capabilities remained competitive with local standards as management incorporated county programs and updated software that would enhance staff's ability to work with optimum information and at maximum efficiency.

In that vein, management continues to collaborate with the developers of Time Matters, our case-processing software, to refine the program's recordkeeping for government law offices and the program's ability to merge data with report-generating software – all with an eye on meeting our goals of serving our clients, and subsequently the public, in a cost-effective and measurable manner.

Our MIS Manager remains dedicated to keeping our Web site current with not only the Office structure, policies, and research sources, but also with the writings of our attorneys for legal publications.

Externship ☞

The Office continues to share the benefits of externships with the College of Law at Arizona State University. The year-round externships immerse students in actual casework. This arrangement gives students the invaluable benefit of hands-on legal experience while the Office gains legal research and case assistance at a minuscule budgetary expense. The Office's program has garnered a favorable reputation at the Law School that translates into a regular flow of applicants for the limited number of externship positions.

***Community
Projects*** ☞

In step with the county's philosophy of engaging in community service, our Office sponsored or supported staff participation in the following activities/organizations:

**Blue Ribbon Committee, ASU
Bring-Your-Child-To-Work Day
Courthouse Experience
County HR Department's Job Fair
Inns of Court
KAET-TV Holiday Pledge Drive
Red Cross Blood Drive
Salvation Army Food Drive
Salvation Army Angel Project
United Way Campaign
U.S. Savings Bonds Campaign**

Training ☞

In 1995, at the time of the establishment of the Office, a training standard of 15 hours per year for each staff person was set in an effort to ensure the maintenance and/or expansion of staff members' skills and knowledge.

Staff members easily meet that standard with the training opportunities created or funded by the Office.

During FY99-00, attorneys and support staff attended training including:

- **Computer classes --**
 - WORD**
 - EXCEL**
 - VISIO**
 - Time Matters**
 - Maintaining/Trouble-Shooting PCs**
- **Maricopa County Bar Association (MCBA) Seminars –**
 - Family Law**
 - Domestic Violence**
 - Sentencing from the Judges' Perspective**
 - ABC's of DOC**
- **State Bar Of Arizona (SBOA) Seminars –**
 - Constitutional Law**
 - Advanced Juvenile Law**
 - Writing to Win**
 - Professionalism**
 - Ethical Afternoon at the Movies**
 - Dependency Law**
 - Year in Evidence**
 - Successful Depositions**
 - Killer Cross-Examination**
 - Convention 2000**
- **Investigation Seminars/Conferences –**
 - National Defense Investigators Association**
 - Interviewing and Interrogation Techniques**
 - Las Vegas Metropolitan Police Homicide Investigation**
- **ASU's DUI Seminar**
- **AZ Attorney General's Domestic Violence Seminar**
- **Arizona Attorneys for Criminal Justice (AACJ) Seminars –**
 - Battle for Justice**
 - A Shore Thing**

- **Criminal Justice System Training**
 - Offender Programs**
 - Capital Case Defense**
 - Jury Selection**
 - Forensic Medical Investigation**
 - Skip Tracing**
 - Trial College**
- **Juvenile Dependency/Severance Training**
 - Adoption Law In AZ**
 - Allegations of Child Abuse**
 - Indian Child Welfare Act**
 - Law for Social Workers**
 - Advanced Legal Writing**
- **Support Staff Training**
 - Managing Multiple Projects**
 - Indispensible Assistant**
 - Legal Works 2000**
 - Legal Secretary Skills – Enhanced**

When possible, the training was funded by the Public Defender Training Fund (PDTF). This practice results in no cost incurred by the taxpayers since the PDTF is funded by a portion of the fines paid by convicted offenders. During FY00, the Office provided a total of 88 attorney seminar opportunities and 83 support-staff seminar opportunities. Of these totals, the PDTF covered the vast majority of the expense: 87% [76 attorney training events and 61 support staff training events]. NOTE: The aforementioned totals do not include the number of Office members who attended the death penalty seminar that we co-hosted with the Public Defender’s Office. This event allowed countless individuals to hear specialized speakers at various times through the funding of the PDTF.

Finances 

While representing the rights of the individuals accused of criminal or negligent behavior is paramount for the

Office, staff members also continue to expend considerable energy on the business side of running a law firm. The Office continues to work closely with county finance and budget offices to ensure the refinement of accounting procedures and coordination of records. The increasing use of the Intranet to exchange information and confirm data has proven invaluable to all involved agencies.



Staff:

Attorneys, Criminal Division	=	21
Attorneys, Crim. Div. [Part-time]	=	7
Attorneys, Juvenile Division	=	8
Attorneys, Juv. Div. [Part-time]	=	
1		
Administration/Assistants/MIS/Special Projects	=	
4		
Support Staff, Criminal Division	=	21
Support Staff, Crim. Div. [Part-time]	=	
3		
Support Staff, Juvenile Division	=	8
Support Staff, Juv. Div. [Part-time]	=	
0		



Attorneys:

The Office's attorneys possess a range of talents, from death penalty and white-collar crime expertise to juvenile dependency and severance skills. 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 continue to make them not only respected courtroom advocates, but also sought-after speakers and writers in their respective fields.

CR **Attorneys**

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.

During the year, criminal casework necessitated attorneys' and investigators' travel to Detroit, Oakland, Minneapolis, and Albuquerque. Additionally, witnesses from around the United States and from St. Croix, Virgin Islands were brought to town to help in defense cases.

JD/JS **Attorneys**

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.



Investigation:

Investigators, who come to the Office with extensive and varied experience, play a critical part in the defense team's representation of indigent clients. They routinely engage in locating and interviewing potential witnesses, obtaining and evaluating physical and documentary evidence; and assisting in the development of defense strategies and case theories.

In the course of their duties, investigators maintain contact with clients, other agencies, and interested parties, and they present oral and/or written investigative reports. In certain cases, Office investigators are uniquely qualified to provide critical information at the trial level and are called upon by our attorneys to testify in court.

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 provided for developing case strategies, selecting jurors for trials, and formulating sentencing plans on major and regular felony cases.

Client Services staff members regularly perform the following functions:

- **obtain relevant social history records,**
- **interview clients and interested parties,**
- **serve as liaison to social and government agencies,**
- **provide clients with general information about the court process and representation, and**
- **assess current information on community resources.**

By serving in these areas, 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:

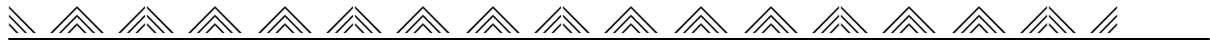
The Juvenile Dependency/Severance Division was specifically designed by the Office to utilize a new team concept. The Division's Case Preparation Managers

(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 their 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 of a case, 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.

**FY99-00:
\$3,150,000 for the Criminal Division and
\$ 760,000 for the Juvenile Division.**

This funding served the county in the handling of:

CASES --

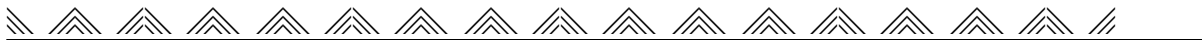
**20 Misdemeanor Assignments,
308 Probation Violation Assignments
25 Witness Representation Assignments
3,473 Regular Felony Assignments
123 Major Felony Assignments
725 Dependency Assignments,
622 Dependency Recertifications,
and
97 Severance Assignments.**

TRIALS --

53 Criminal

APPEALS -

17 Juvenile Dependency/Severance.



Reputation:

The Office's reputation for excellence grew rapidly and has been maintained over the years. Today, the Office is regarded as an outstanding legal resource as well as an excellent place for employment and extern opportunities.