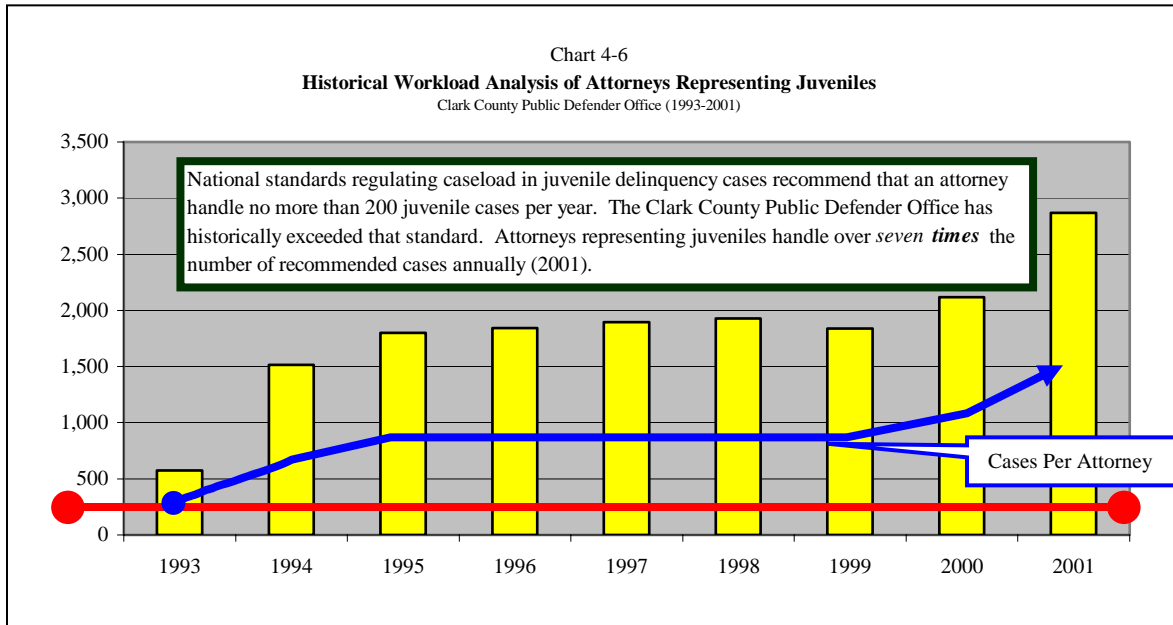


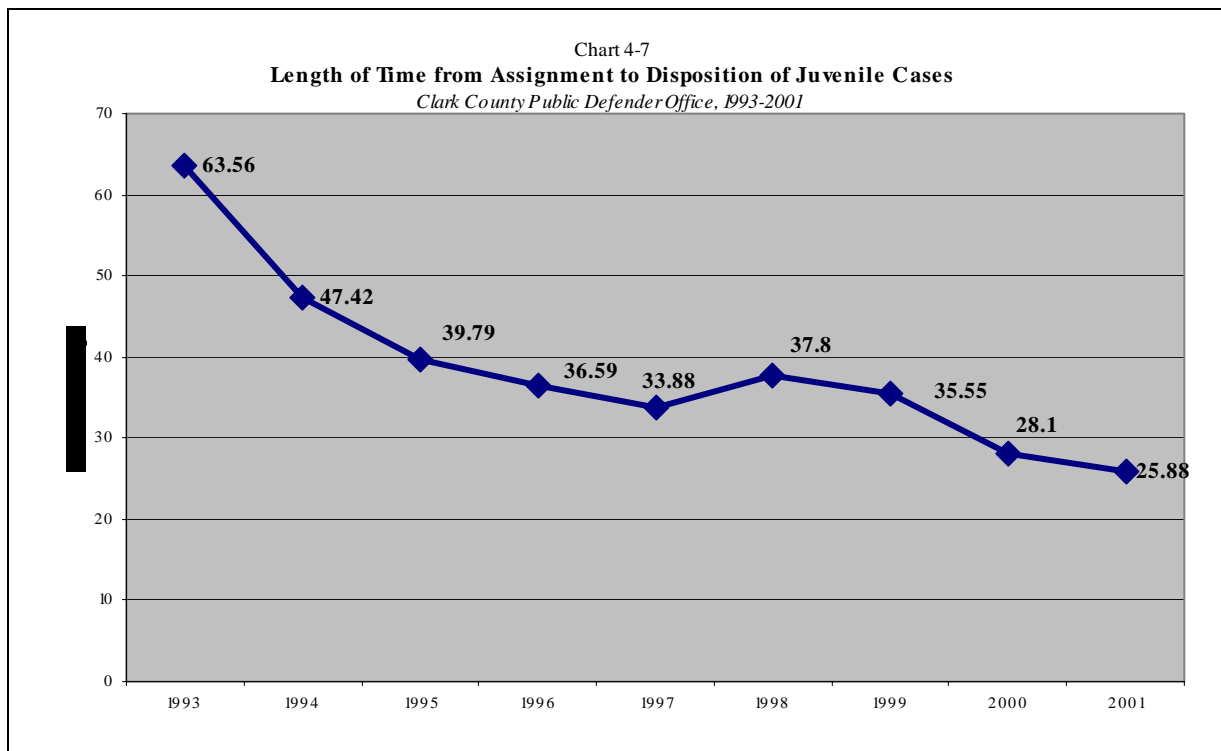
EXCESSIVE CASELOADS

Clark County (Las Vegas), Nevada – A Case Study

Since 1983, the juvenile division of the Clark County Public Defender Office (CCPDO) has been staffed with only two attorneys. From 1993 until 2001, new juvenile assignments increased over 397 percent (from 576 to 2,867) without a single new attorney being added to help with the workload. At the close of 2001, CCPDO's juvenile attorneys were expected to handle more than *seven times* the number of cases recommended by the NAC standards (as depicted below).



Based on these numbers, one would expect that the average length of time spent on any one juvenile case must have been decreasing over time. The chart below shows the



average number of days from assignment to disposition of juvenile cases. As anticipated, there has been a steady decrease in length of time to disposition on juvenile cases.

What the chart shows is that as the number of cases increased, attorneys had less and less time to spend on anything other than determining how to dispose of the case. The site visit confirmed what the statistics indicate: the attorneys' work in this unit of the CCPDO is not about representing children; it is about processing cases. On average, each child is given less than two hours of attorney time per case – *including those cases that go to trial*.

-- National Legal Aid & Defender Association. *Evaluation of the Clark County Public Defender Office*. March 2003. Prepared on behalf of Clark County, Nevada.

National Caseload Standards Are Not Enforced Across the Country

Regulating an attorney's workload is perhaps the simplest, most common and direct safeguard against overloaded public defense attorneys and deficient defense representation for low-income people facing criminal charges. The National Advisory Commission (NAC) on Criminal Justice Standards and Goals first developed numerical caseload limits in 1973 under the auspices of the U.S. Department of Justice, which, with slight modifications in some jurisdictions, have been widely adopted and proven quite durable in the intervening three decades. NAC Standard 13.12 on Courts states:

The caseload of a public defender attorney should not exceed the following: felonies per attorney per year: not more than 150; misdemeanors (excluding traffic) per attorney per year: not more than 400; juvenile court cases per attorney per year: not more than 200; Mental Health Act cases per attorney per year: not more than 200; and appeals per attorney per year: not more than 25.

In states across the country, public defense attorneys are carrying crushing caseloads far in excess of these standards, forcing them to jump from client to client. Many individuals get nothing more than a few minutes of their attorneys' time and a hurried guilty plea.