

Office of the Legal Defender

•Serving Justice since 1995•

~ FY08 ANNUAL REPORT ~

OLD Members

The Office of the Legal Defender [OLD] had a total of 109 funded, regular staff positions in FY08.

Criminal Division:

Attorneys	37
Support Staff	46
<hr/> CR TOTAL	<hr/> 83

Juvenile Dependency/Severance Division:

Attorneys	14
Support Staff	12
<hr/> JD/JS TOTAL	<hr/> 26

In addition to serving our Clients, the Office also acted on its belief in helping with the development of future participants in the legal system. Thus, it maintained its externship program through the College of Law at Arizona State University and its openness to consideration of externs from any accredited, approved law school.

The year-round extern program immerses law students in actual casework, giving students the invaluable benefit of hands-on legal experience while the Office gains legal research and casework assistance. The Office's program has garnered a favorable reputation at law schools and sees a regular flow of applicants for the limited number of externship positions. In FY08, four externs worked at OLD through various semester terms in both the CR and JD/JS Divisions. ♦♦♦

FISCAL CHALLENGES

In FY08, Maricopa County dealt with serious financial concerns caused by a significant reduction in projected revenues. Many departments were required to implement hiring freezes and reduce expenses. Some departments were subjected to a reduction in force.

Constitutional and statutory mandates, as well as workload limitations required by ethical rules, made it particularly difficult for the indigent defense offices to reduce expenses. Should the indigent defense offices be required to reduce staff, and the reduction results in a decrease in the number of cases handled, the county must find private attorneys, often at a higher cost, to represent clients.

Maricopa County's newly restructured Indigent Representation Group, now led by the Office of Public Defense Services, found creative ways to reduce expenses without compromising the quality of legal services. While the financial crisis has become worse, the Office of the Legal Defender remains committed to work with other indigent defense offices to meet fiscal hurdles without endangering the constitutional rights of our clients. ♦♦♦

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MISSION

THE MISSION OF THE MARICOPA COUNTY OFFICE OF THE LEGAL DEFENDER IS TO PROVIDE 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 SIGNIFICANTLY 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 PUBLIC DEFENSE SERVICES.
- 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.

Our Clients

The Office of the Legal Defender clientele comes only from assignments by the Superior Court of Arizona. The Office is appointed to represent the following individuals:

1. people charged with serious criminal offenses, or parents in juvenile dependency / juvenile severance actions, AND
2. individuals who the court has determined are unable to afford a private attorney.

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FY08 Budget

In FY08, the Maricopa County Board of Supervisors provided the Office of the Legal Defender the following funding:

FY07-08

\$6,923,220.00 for the Criminal Division,
\$2,148,467 for the Juvenile Division,
and
\$ 727,745 for the Admin/IT Division.

These monies served the county in the handling of the following cases

[Note: the categories listed for the following statistics parallel the county's MfR standards for the fiscal year].

CASES:

1	Misdemeanor Assignments
639	Probation Violation Assignments
50	Witness Representation Assignmtns.
4,814	Felony Assignments Other than First Degree Murder
6	First Degree Murder Assignments
1,378	Parental Representation Assignments [JD/JS/Grndshp]
952	Dependency Recertifications

A standard review of the Office at the close of FY08 found that the Office again fulfilled the following aspirations:

- a respected law firm,
- a reputation for legal leadership,
- a fiscally responsible department, and
- a community asset.

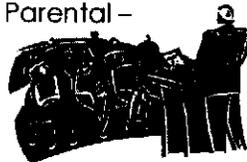
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Serving in a Larger Arena

The staff at the Office of the Legal Defender continued in FY08 to serve not only the clients assigned to the Office by the courts, but also the indigent legal defense community for the state of Arizona.

In December of 2007, the Office, along with the Maricopa County Public Defender's Office, Maricopa County Legal Advocate's Office, and the Federal Public Defender, maintained the annual tradition of co-hosting an intensive seminar on capital case work. The two-day conference remained directed to the indigent defense attorneys and staff for death-penalty cases. This year's event was attended by 193 people on the first day and 173 on the second day.

In June of 2008, OLD staff worked with other offices on the 6th Annual Conference of the Arizona Public Defender Association [APDA]. The conference's courses covered all areas of indigent defense: Capital Cases, Major Felonies, Juvenile—Criminal Representation; Juvenile and Parental—



Dependency / Severance / Guardianship Representation, Investigation, Mitigation, Legal Support, Ethics, Management, etc. OLD assisted in a variety of roles at this conference, including: organizers for different tracks, presenters, technical support, and administrative support. This conference remains a paramount source of training and education for statewide indigent attorneys and support staff.

The feedback from attendees at both of these major events, which included private practitioners, reflected their gratitude for these extraordinary opportunities to enhance or refine their skills, and to network with others, sharing ideas and resources, in this vital area of legal representation. ◆◆◆

Special Bulletin

A 2008 county survey of county employees, conducted through an independent agency, found that the Office of the Legal Defender held onto its honored position as a department with exceptional employee satisfaction and morale, ranking again among the top of participating county departments.

More Service

While remaining devoted to serving indigent clients in the legal arena, OLD staff members also enjoy working with other community areas to help people, animals, and the environment. In FY08 our staff increased their involvement with and support for diverse groups such as Access Fund, American Civil Liberties Union; American Diabetes Association; Arizona Attorneys for Criminal Justice; Arizona Capital Representation Project; Arizona Children's Justice Task Force; Arizona Humane Society; Arizona Italian Greyhound Rescue; Arizona Museum of Natural History – Mesa; Arizona Public Defender Association; Arizona Railway Museum – Chandler; Arizona State University, College of Law Alumni Association – Board; Arizona Theatre Company; Arizona Women Lawyers Association – Steering Committee; Audubon Society; AYUSA – hosting foreign exchange students; Civil War Preservation Trust; Friends of Animal Care & Control; Glendale Fire Department – Crisis Response; Habitat for Humanity; Homeowners/Neighborhood Associations; Hospice of the Valley; Justice Courts Volunteer Mediator; KAET – of Arizona Board of Regents & Arizona State University; Kyrene School District; Liberty Wildlife; Little League; National Association of Criminal Defense Attorneys; National Association of Legal Assistants; National Defender Investigators Association; National Resources Defense Council; National Trial Institute; National Wildlife Federation; Nature Conservancy; Niños Hospital; Parent-Teacher Associations; Phoenix, Rescue Mission; Phoenix Zoo; Red Cross; Recording for the Blind & Dyslexic – Board member; Salvation Army; Roman Catholic Diocese of Phoenix; Scouts of America - Boy & Girl; Sojourners; Sierra Club; State Bar of Arizona – Criminal Practice and Procedure Committee, and Juvenile Law Committee; St. Mary's Food Bank; St. Vincent de Paul; Tempe Judicial Advisory Board; and World Wildlife Fund.

St. Mary's Food Bank honored OLD's efforts, noting that Office donations helped provide 336,953 meals to needy families in December. By constant advocacy in this variety of issues, OLD continues to be a vital voice for our world.

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*Dedicated to the Guardians of Freedom ~
 wherever they are found.*