

*Office of the Legal Defender*

•Serving Justice since 1995•

~ FY07 ANNUAL REPORT ~

**OLD Members**

The Office of the Legal Defender [OLD] had a total of 102 funded regular staff positions in FY07.

Criminal Division:

Attorneys	32
Support Staff	44
<hr/> CR TOTAL	<hr/> 76

Juvenile Dependency/Severance Division:

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

In addition to serving our Clients, the Office also believes in helping in the development of future participants in the legal system, and so it maintains its externship program through the College of Law at Arizona State University.

The year-round extern program immerses law students in actual casework, giving students 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 the Law School and sees a regular flow of applicants for the limited number of externship positions.

In FY07, four externs worked at OLD through various semester terms in both the CR and JD/JS Divisions. ❖❖❖

**Capital Representation Crisis**

During the past year, Maricopa County experienced a crisis in retaining enough qualified attorneys to handle the number of capital cases in the county.

In an effort to assist in this crucial area, the Office of the Legal Defender [OLD] promoted two qualified attorneys to this singular assignment, increasing the number of qualified capital attorneys at OLD to 14. Furthermore, the Office of Management and Budget provided extra funding, which allowed OLD to add a new capital mitigation specialist and other support staff to assist the capital case attorneys.

With an enhanced attorney and support staff pool, OLD was able to assume additional capital cases, thereby alleviating some of the delays in the criminal justice system for these defendants and associated individuals. ❖❖❖

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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 CONTRACT 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.

### **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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# FY07 Budget

In FY07, the Maricopa County Board of Supervisors provided the Office of the Legal Defender the following funding:

## FY06-07

\$5,834,598 for the Criminal Division,  
 \$2,040,964 for the Juvenile Division,  
 and  
 \$ 743,651 for the Admin/IT Division.

These monies served the county in the handling of the following cases  
 [Note: the categories listed for these statistics parallel the county's MfR standards for the fiscal year].

## CASES:

4	Misdemeanor Assignments
695	Probation Violation Assignments
56	Witness Representation Assgnmnts.
5,013	Felony Assignments Other than First Degree Murder
10	First Degree Murder Assignments
1,508	Parental Representation Assignments [JD/JS/Grndshp]
990	Dependency Recertifications,

A standard review of the Office at the close of FY07 found that the Office again fulfilled the following:

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



# Serving in a Larger Arena

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

In FY07, the Office co-sponsored a two-day seminar directed to the indigent defense practitioners and staff for capital cases. This event benefited over 100 individuals devoted to indigent defense.

Later in the FY, the Office co-sponsored a seminar on mitigation and investigation in casework, and specifically in death penalty casework.

These co-sponsored events presented exceptional training opportunities.

The Office also provided its services for all aspects of the 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 happily served in a variety of roles at this conference: organizers for different “tracks,” presenters, technical support for speakers, and support in conference administration duties (such as working on/with brochures, volunteers, registration, banking, and sales). This conference is paramount in providing training and education to statewide practitioners and support staff.

## *Special Bulletin*

A 2007 survey of county employees determined that the Office of the Legal Defender once again proved a leader in employee satisfaction and morale, ranking at 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 FY07 our staff maintained their involvement with groups such as American Civil Liberties Union; American Diabetes Association, Arizona Attorneys for Criminal Justice; Arizona Capital Representation Project; Arizona Humane Society; Arizona Public Defender Association; Arizona State Bar Association – Criminal Practice and Procedure Committee; ASU College of Law Alumni Association – Board; Arizona Theatre Company; Audubon Society; Civil War Preservation Trust; Friends of Animal Care & Control; Habitat for Humanity; 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; Parent-Teacher Associations; Phoenix Zoo; Public Television–Channel 8; Red Cross; Salvation Army; Scouts of America - Boy & Girl; Sojourners; Sierra Club; St. Mary's Food Bank; St. Vincent de Paul; and World Wildlife Fund. At the holidays, OLD members gathered gifts and funds to fill the shelves and coffers at the Crisis Nursery and the St. Mary's Food Bank. By constant advocacy in this variety of issues, OLD continues to be a vital voice for our world. ❖❖❖



Crisis Nursery



St. Mary's Food Bank

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