

December 12, 2007



ADKT 411

Nevada Supreme Court
Chief Justice A. William Maupin
Justice Mark Gibbons
Justice Michael L. Douglas
Justice James W. Hardesty
Justice Ron Parraguirre
Justice Michael A. Cherry
Justice Nancy M. Saitta

FILED

DEC 20 2007

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *J. Coyle*
CHIEF DEPUTY CLERK

RE: Report of the Indigent Defense Commission

Honorable Justices:

Washoe Legal Services is committed to assuring the fair administration of justice for low income clients, and promoting the ability of everyone, regardless of their financial condition, to have meaningful access to the courts. Although we operate in the civil arena, we recognize that this goal is equally, if not more, important in criminal cases. Therefore, we urge the Court to adopt the findings and recommendations of the majority report of the Indigent Defense Commission.

Through our program for assisting County Jail inmates in non-criminal legal matters we have come to appreciate the need for adequate appointed representation. Without caseload limits and specific standards this is difficult to achieve or verify.

We have found the Public Defender attorneys to be dedicated, caring professionals who are intent upon doing the best job possible with the inadequate resources at their disposal. However, with current caseloads it seems impossible to provide quality representation to each and every client.

An adequate Public Defender system is necessary to avoid injustice to the indigent. We will all benefit by keeping families together when appropriate, and minimizing the disruption of financial support caused by incarceration. This, in turn, helps to avoid homelessness and the loss of other essential services.

Adequate representation may also benefit some of our domestic violence clients even though a Public Defender will be appointed to

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represent the abuser. Although we have no empirical evidence, intuitively it makes sense that adequate Public Defender representation may assist an abusive individual to obtain help when available to address the cause of the abusiveness, resulting in fewer repeat incidents.


Finally, adequate appointed representation helps to maintain public confidence in, and respect for, the legal system. Such confidence is essential to advance the rule of law and allow the government to carry out its Constitutional mandate to promote the general welfare.

Sincerely,

WASHOE LEGAL SERVICES



Paul Elcano
Executive Director



Marc Ashley
Staff Attorney, Inmate Assistance Project

cc: Jeremy T. Bosler
Washoe County Public Defender