

ADKT

411

FILED

McCormick, John

DEC 20 2007

From: Stephen Dahl [DahlSJ@co.clark.nv.us]
Sent: Thursday, December 20, 2007 7:01 AM
To: McCormick, John; Sweet, Robin; Maupin, Justice A. William; Cherry, Justice Michael; Africa Sanchez; Chuck Short; Cordell Stokes; David Amesbury; David Carroll; David Lockie; David Schieck; Debbie Vinson; Franny Forsman; Gary Peck; James P. Carmany; Jennifer J. Lunt; Jeremy T. Bosler; John Berkich; John C. Lambrose; Judge Kevin Higgins; Elizabeth Quillin; Philip Kohn; Robert Langford; Steven McGuire; Ann Zimmerman; The Honorable Dan L. Papez; The Honorable Deborah Schumacher; The Honorable Jerome M. Polaha; Michael Villani; Stewart Bell; Leslie Jensen; dcrow@govmail.state.nv.us
Cc: Luevano, Janice; Jan Bertram; Caryn Elder, secretary to J. Schumacher; Alisa Newlon - Assistant to John Berkich; Quinn, Gloria; Liz Bates-assistant to John Lambrose; Wasserman, Nenita; Victoria Francis - Judge Higgin's Secretary; Gang, Bill
Subject: RE: Continuation of Indigent Defense Commission Public Administrative Meeting

JAMETTE M. BLOOM
 CLERK OF SUPREME COURT
 BY *J. Castillo*
 CHIEF DEPUTY CLERK

I will not be able to attend the hearing this afternoon, and I was already provided time to say my piece last Friday. However, I would like to provide one additional observation concerning the problem with imposing performance standards on defense counsel without setting some kind of limits on the number of cases they can handle.

I started my college career studying music. Part of the curriculum was studying the music from each major era: Baroque, Classic, Romantic, etc. As part of each of those classes we received lengthy listening lists. We were required to listen to everything on the list, because part of each mid-term and final exam consisted of identifying various compositions that were played during the exam.

With everything else we had going, it was difficult, if not impossible, to spend hours and hours in the library listening to all of the pieces on the list. Therefore, many of us resorted to a shortcut. Instead of listening to the records at the correct speed of 33 1/3 rpms (this was back in dark ages of record players), we would crank it up to 45 rpms. By doing that, we wouldn't get a full appreciation or understanding of the music, but we would get enough of the highlights to be able to get by on an exam.

In my opinion, if performance standards are imposed without some kind of case number limits, the same kind of thing will happen with defense counsel. We will have work that should be done at 33 1/3 rpms being performed at 45 rpms, or higher, because that is the only way they will be able to get by. Criminal defense will become an exercise in time management as opposed to effective representation. Personally, I don't think that's a good idea.

Let me wish everyone Happy Holidays, although some of them are already over, and a great 2008. It has been a pleasure working with all of you on this commission.

From: McCormick, John [mailto:jmccormick@nvcourts.nv.gov]
Sent: Tuesday, December 18, 2007 10:37 AM
To: Sweet, Robin; Maupin, Justice A. William; Cherry, Justice Michael; Africa Sanchez; Chuck Short; Cordell Stokes; David Amesbury; David Carroll; David Lockie; David Schieck; Debbie Vinson; Franny Forsman; Gary Peck; James P. Carmany; Jennifer J. Lunt; Jeremy T. Bosler; John Berkich; John C. Lambrose; Judge Kevin Higgins; Elizabeth Quillin; Philip Kohn; Robert Langford; Steven McGuire; Ann Zimmerman; The Honorable Dan L. Papez; The Honorable Deborah Schumacher; The Honorable Jerome M. Polaha; Michael Villani; Stephen Dahl; Stewart Bell; Leslie Jensen; dcrow@govmail.state.nv.us
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Subject: Continuation of Indigent Defense Commission Public Administrative Meeting

Good Morning,

The Nevada Supreme Court Public Administrative Meeting to consider ADKT No. 411 regarding the report of the Indigent Defense Commission will be continued on **Thursday, December 20, 2007 at 2:00 p.m.** The meeting will

12/20/07

07-28455