



WASHOE COUNTY

"Dedicated to Excellence in Public Service"

OFFICE OF THE COUNTY MANAGER
1001 E. 9th Street
P.O. Box 11130
Reno, Nevada 89520-0027
Phone: (775) 328-2000
Fax: (775) 328-2037
www.washoecounty.us

March 20, 2009

FILED

Nevada Supreme Court
201 South Carson Street
Carson City, Nevada 89701

MAR 23 2009

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *[Signature]*
CHIEF DEPUTY CLERK

RE: ADKT No.411

Honorable Supreme Court Justices:

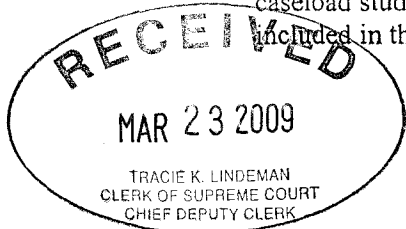
The Counties' purpose in writing this letter is twofold; first, to seek the court's consideration in delaying the April 1, 2009, effective date for the implementation of the new Indigent Defense Standards of Performance; and secondly to seek the Court's consideration in delaying the May 15th date for submission of the Weighted Caseload Study.

Pursuant to the Court's order in this docket dated October 16, 2008, both Washoe and Clark counties are to submit Weighted Caseload Studies on May 15th. These studies will ultimately be used by the Counties in establishing budgets and staffing patterns for attorneys providing indigent defense. The Spangenberg Group has indicated that in order to finish its Weighted Caseload Study that it will be distributing a second survey instrument to all attorneys to measure what affect the new performance standards will have on the amount of time attorneys spend per case in the various classes of offenses.

The Counties believe that to accurately complete the survey and study, it is necessary that all attorneys be trained on how to provide counsel under the new standards. The Indigent Defense Commission recognized this need, and at its meeting on February 19th, directed that Jennifer Lunt, Alternate Public Defender for Washoe County lead an effort to develop a training program on the new the performance standards which is to be made available to attorneys statewide.

After discussing the timing and sequencing of the training and the second survey instrument, Spangenberg believes it would be preferable to incorporate the second survey instrument as part of the training on the use of the performance standards to ensure the accurate measurement of the impact. The counties submit that this is a vital step in the process to ultimately develop appropriate caseload guidelines.

In summary, the training program has yet to be developed; it will likely require 60 to 90 days for the program to be presented across the state; the completion of the weighted caseload studies will require a second survey; and the survey instrument should be included in the training program.



09-31705

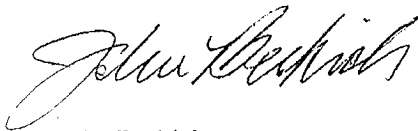
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For the interrelated reasons set forth above, both Washoe and Clark Counties join in requesting the Court to reconsider the April 1st date and to postpone the implementation of the performance standards until July 1, 2009. We further request the Court to extend the date for the Weighted Caseload Study until August 15, 2009. The changes in these dates will allow time for the development of the training program and its presentation to the hundreds of attorneys providing indigent defense services across the state and potentially result in a more accurate Weighted Caseload Study.

On behalf of the counties, we remain committed to the efforts of the Court to improve the indigent defense system of our state and thank the court for the opportunity to bring these concerns forward and for its consideration of this request.

Sincerely,



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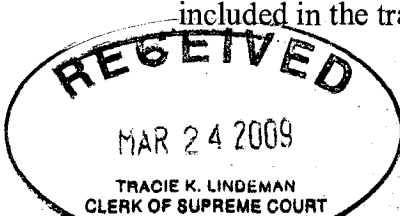
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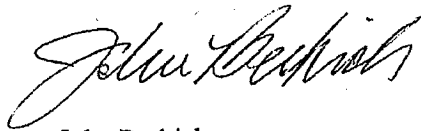
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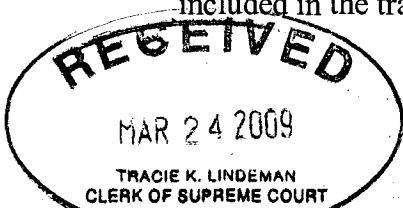
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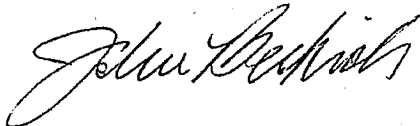
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