

201 S. Rook Street, Suite 101 Carson City, NV 89701-4790

Chief Justice James W. Hardesty
Justice Ron D. Parraguirre
Justice Michael A. Cherry
Justice Nancy M Saitta
Justice Mark Gibbons
Justice Michael L. Douglas
Justice Kristina Pickering

FILED

OCT 01 2009

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

201 South Carson Street
Carson City, NV 89701

October 1, 2009

Re: ADKT 411

Dear Honorable Supreme Court Justices,

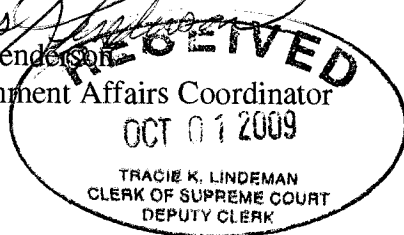
The Board of Directors of the Nevada Association of Counties voted unanimously in opposition to the Court's potential adoption of caseload standards. Nevada's counties are firmly committed to providing indigent criminal defendants with appropriate counsel and strive to do so. NACO urges the Court, if it is compelled to take any action, to adopt caseload guidelines rather than mandatory standards. The adoption of standards may require the counties to increase the number of defense counsel to meet the new "quotas". The end result would be an unfunded mandate placed on the backs of counties.

NACO's board would like to reemphasize to the Court that our support of the establishment of a permanent statewide indigent oversight commission is contingent upon the state accepting its responsibility to fully fund indigent defense. As the Court is aware, the Rural Issues Subcommittee, as well as the Indigent Defense Commission as a whole, agrees that providing indigent defense is a state responsibility. Four of the five recommendations contained in the Rural Issues Subcommittee's report to the Court, including the establishment of the commission, were predicated on the state fully funding indigent defense. NACO submitted a bill, AB45, during the 2009 session of the Nevada Legislature, seeking to have the state accept its responsibility. This effort was unsuccessful and, as a result, the counties are still shouldering the burden of providing defense counsel for indigent defendants throughout the state.

NACO would like to thank the Court for the continued opportunity to be involved in the Rural Issues Subcommittee and to comment on this matter.

Regards,

[Signature]
Wes Henderson
Government Affairs Coordinator



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