



Office of the County Manager

500 S Grand Central Pky 6th Fl • Box 551111 • Las Vegas NV 89155-1111
(702) 455-3530 • Fax (702) 455-3558

Virginia Valentine, P.E., County Manager
Phil Rosenquist, Assistant County Manager • Jeffrey M. Wells, Assistant County Manager

A CENTURY OF SERVICE



October 12, 2009

OCT 16 2009

FILED

Chief Justice James W. Hardesty
Nevada Supreme Court
201 S. Carson Street
Carson City, NV 89701

NOV 02 2009

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

ADKT 411

Dear Chief Justice Hardesty:

At last Tuesday's hearing on ADKT 411 you asked that Clark County provide to the Court its current data relative to our felony and gross misdemeanor caseload. Last year, at my request, we started to track these cases on a rolling monthly average to account for the ebb and flow of cases in and out of the system, and to negate the statistical effect of cases carried over from one year to the next.

The attachment shows thirteen separate 12-month periods ending with September 2008 through August 2009. After subtracting those cases assigned to conflict or substitute counsel and those cases in bench warrant status, we show a net caseload of 12,568 with an average caseload of 196 per track attorney. Team Chiefs in the Clark County Public Defender's Office handle partial caseloads; however, if we assumed zero cases per team chief, the average for the remaining attorneys for that period is 227. It should be pointed out that in calculating these caseload averages we have excluded the attorneys on both the murder team and the sexual assault team.

The report also shows that consistently 60% of the cases that were originally charged as felonies or gross misdemeanors were dismissed outright or resolved in Justice Court as misdemeanors.

Justice Pickering noted that the Indigent Defense Commission's 2007 report had listed Clark County's felony caseload as 364 per attorney for calendar year 2006 and she wondered what accounted for the current difference.

There are a number of reasons for this apparent dramatic reduction in caseload numbers. First, I don't believe the caseload numbers were ever that high, but were "best guess" assumptions based on initial assignments only. The tracking methodology in 2006 mistakenly allowed double counting of cases in some circumstances and also counted the same cases in more than one 12-month period. Additionally, the 2006 estimate failed to properly exclude cases that were assigned to conflict or substitute counsel or were in bench warrant status.

09-31725

Chief Justice James W. Hardesty

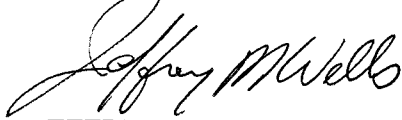
October 12, 2009

Page Two

Another reason for the current lower caseload number is that the office has added additional attorneys to the Public Defender's staff over the last couple of years with more attorneys to be hired as soon as the next bar results are posted.

It is Clark County's position that the indigent are being well represented in Clark County and that there is not a current caseload crisis in the Public Defender's Office. That being said, we take our obligation to provide effective representation very seriously and despite the current economy, we have added additional resources to the Public Defender's Office, the Special Public Defender's Office and particularly to the Office of Appointed Counsel.

Sincerely,



JEFFREY M. WELLS

Assistant County Manager

JMW:dj

cc: Justice Michael Cherry
Justice Michael Douglas
Justice Mark Gibbons
Justice Ron Parraguirre
Justice Kris Pickering
Justice Nancy Saitta

Annualized Assigned Track Felony and Gross Misdemeanor Cases

Sep 07 - Aug 08	Total	Total w/o BW, CON, SUB¹	DC Total²	JC Total³
Total	17,076	13,155	5,153	8,002
Average without Team Chiefs		238	93	145
Average		205	80	125
Oct 07 - Sep 08	Total	Total w/o BW, CON, SUB¹	DC Total²	JC Total³
Total	16,874	12,987	5,098	7,889
Average without Team Chiefs		234	92	142
Average		201	79	122
Nov 07 - Oct 08	Total	Total w/o BW, CON, SUB¹	DC Total²	JC Total³
Total	16,631	12,757	4,958	7,799
Average without Team Chiefs		229	89	140
Average		197	77	121
Dec 07 - Nov 08	Total	Total w/o BW, CON, SUB¹	DC Total²	JC Total³
Total	16,276	12,538	4,913	7,625
Average without Team Chiefs		225	88	137
Average		194	76	118
Jan 08 - Dec 08	Total	Total w/o BW, CON, SUB¹	DC Total²	JC Total³
Total	15,963	12,310	4,809	7,501
Average without Team Chiefs		221	86	135
Average		190	74	116
Feb 08 - Jan 09	Total	Total w/o BW, CON, SUB¹	DC Total²	JC Total³
Total	15,771	12,164	4,756	7,408
Average without Team Chiefs		219	86	133
Average		189	74	115
Mar 08 - Feb 09	Total	Total w/o BW, CON, SUB¹	DC Total²	JC Total³
Total	15,286	11,834	4,632	7,202
Average without Team Chiefs		213	83	130
Average		183	72	112
Apr 08 - Mar 09	Total	Total w/o BW, CON, SUB¹	DC Total²	JC Total³
Total	15,125	11,752	4,608	7,144
Average without Team Chiefs		213	84	129
Average		183	72	111
May 08 - Apr 09	Total	Total w/o BW, CON, SUB¹	DC Total²	JC Total³
Total	15,035	11,664	4,504	7,160
Average without Team Chiefs		212	82	130
Average		182	70	112
Jun 08 - May 09	Total	Total w/o BW, CON, SUB¹	DC Total²	JC Total³
Total	14,885	11,564	4,420	7,144
Average without Team Chiefs		210	80	130
Average		181	69	112
Jul 08 - Jun 09	Total	Total w/o BW, CON, SUB¹	DC Total²	JC Total³
Total	15,263	11,903	4,437	7,466
Average without Team Chiefs		215	80	135
Average		185	69	116
Aug 08 - Jul 09⁴	Total	Total w/o BW, CON, SUB¹	DC Total²	JC Total³
Total	15,385	12,126	4,375	7,751
Average without Team Chiefs		219	79	140
Average		188	68	120
Sep 08 - Aug 09⁴	Total	Total w/o BW, CON, SUB¹	DC Total¹	JC Total²
Total	15,735	12,568	4,313	8,255
Average without Team Chiefs		227	78	149
Average		196	67	128

¹ BW refers to cases that are in bench warrant status; CON refers to cases with a conflict of interest in the Public Defender's office that were given to conflict attorneys; SUB refers to cases that were turned over to privately-hired attorneys.

² DC cases were originally charged as felonies and were bound over from Justice Court.

³ JC cases were originally charged as felonies but, with the exception of a very few cases, remained in Justice Court as a result of a reduction in charges to a misdemeanor.

⁴ Caseload numbers for the most recent months may change as cases are moved from Justice Court or assigned a different status (e.g., BW, CON, SUB).