Office of the State Public Defender Administrative Policies

EXHIBIT 4

Subject: **Caseload Management**	Policy No.:
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1.0 POLICY

1.1 A mission of the Office of the State Public Defender (OPD) is to insure that no attorney doing public defender work, either as an employee or as a contract attorney, has a workload of such an amount that clients are not being adequately represented and/or the wellbeing of the attorney is jeopardized.

1.2 The regional deputy public defenders and the managing attorneys in each public defender office are responsible for managing the workloads of the attorneys they supervise.

2.0 PROCEDURE

2.1 Contract Attorneys

Regional deputy public defenders will review the number of open cases that each contract public defender is carrying to ensure that the workload is manageable and will, at the time any new case is assigned, ascertain that the contract attorney has a workload that allows sufficient time to be devoted to the new case and client.

When a contact attorney's workload will not allow time to adequately represent a client, the client's case shall be assigned to another contract public defender. If another local contract attorney can not be found, the Chief Public Defender shall be so advised and assist in locating counsel for the client.

2.2 Employed Attorneys

Regional deputy public defenders and managing attorneys will discuss workload at least monthly with each employed public defender they supervise. When a public defender expresses a problem with his/her workload, the supervising attorney shall work with the public defender to alleviate the workload. The supervising attorney shall consider doing any of the following:

A. discontinue assigning cases to the public defender for a specified time;
B. discontinue assigning specific kinds of cases to the public defender for a specified time;
C. assign other public defenders to assist on particular cases;
D. assign extra staff or an investigator to assist on particular cases;
E. reassign particular cases; and/or
F. negotiate time off work for the public defender.

The supervising attorney shall consider any other solutions that the public defender suffering workload burnout may have.

2.3 The regional deputy public defenders and managing attorneys shall keep the Chief Public Defender fully informed about workload problems expressed by the attorneys they manage. The Chief Public Defender shall report to the Public Defender Commission as workload problems arise.

3.0 CLOSING

Questions about this policy should be directed to OPD at the following address:

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