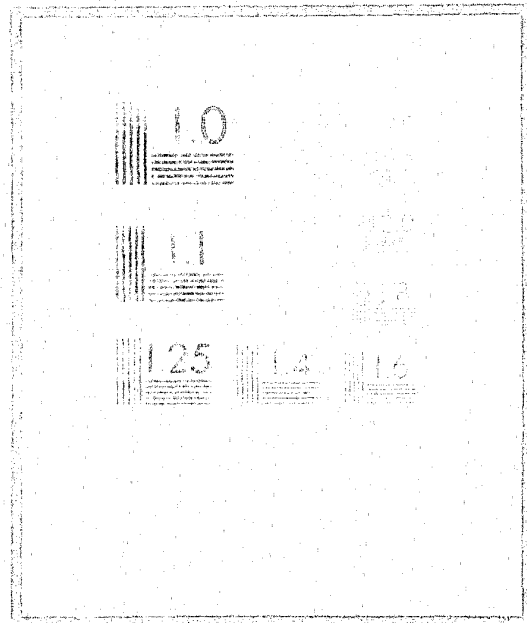


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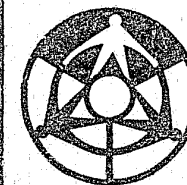
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RECOMMENDATIONS FOR
ESTABLISHING PILOT
PUBLIC DEFENDER OFFICES IN
GLYNN COUNTY AND WHITFIELD COUNTY,
GEORGIA



THE AMERICAN UNIVERSITY

Criminal Courts Technical Assistance Project
Institute for Advanced Studies in Justice
The American University Law School
Washington, D.C.



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RECOMMENDATIONS FOR
ESTABLISHING PILOT
PUBLIC DEFENDER OFFICES IN
GLYNN COUNTY AND WHITFIELD COUNTY,
GEORGIA

APR 10 1974

April, 1974

Consultant:

NATIONAL LEGAL AID AND DEFENDER ASSOCIATION

Shelvin Singer

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This report was prepared in conjunction with The American University Law School Criminal Courts Technical Assistance Project, under a contract with the Law Enforcement Assistance Administration of the U.S. Department of Justice.

Organizations undertaking such projects under Federal Government sponsorship are encouraged to express their own judgement freely. Therefore, points of view or opinions stated in this report do not necessarily represent the official position of the Department of Justice. The American University is solely responsible for the factual accuracy of all material presented in this publication.

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I. INTRODUCTION

Georgia Indigents Legal Services, Inc. (GILS), incorporated by the State Bar of Georgia in 1970, was established as a Georgia non-profit corporation for the purpose of both coordinating and carrying out a comprehensive legal services program to serve indigent citizens throughout the state. Recently, the Georgia Crime Commission (SPA) provided funds for GILS to set up model public defender offices in two relatively rural counties: Glynn County in the southeastern part of the state, and Whitfield County in the northern part. The executive director of the model public defender office project is Ms. Betty H. Kehrer, who is also the executive Director of GILS. If the two pilot offices are successful, Ms. Kehrer has indicated she will seek to transfer the defender function in the state to a separate private not-for-profit corporation which would be expanded to include all remaining counties where there are no organized defender services. Such a program would envision the sponsorship of the State Bar Association and funding by the state legislature.

To adequately set up these model defender offices and develop appropriate methods for in-take procedures, eligibility screening, caseload control, reporting procedures, and data collection, Ms. Kehrer requested consultative services from LEAA's Criminal Courts Technical Assistance Project at The American University. Under the auspices of the Technical Assistance Project, Shelvin Singer, a consultant from the National Legal Aid and Defender Association,

visited the defender offices in Whitfield County, located at Dalton, and Glynn County, located at Brunswick, as well as the project's administrative office in Atlanta during October and November, 1973.

At the time of these visits, project operations had not fully begun although project staff had been hired. Thus, the consultant focussed upon the projected caseload of the offices and the necessary resources for effective operation. An analysis of these needs, together with suggested reporting forms to supplement those required by the state, is provided in the following sections of this report.

II. ANALYSIS OF EXISTING SITUATION

Indigent Defense Services in Georgia

Under Georgia law, defender services may be provided by several methods. A defender office may be organized on a county basis and, in such cases, the defender is appointed by the Superior Court for a four year term (27-3206 [a] Georgia Code). The Georgia statute also provides that a public defender office may be organized on a circuit basis with the concurrence of two or more counties within the circuit. Provision is also made for one county to contract for defender services with a public defender in another county in the same circuit (27-3206 Georgia Code), and for counties to contract with private corporations and legal aid societies for indigent criminal representation (27-3205, Georgia Code). Funds for defender offices must be provided by the county from its own tax revenues (27-3210, Georgia Code).

According to a study conducted by Ms. Kehrer and reported in a memorandum to the State Bar of Georgia, September 25, 1973, there are currently five defender offices organized on a circuit basis and four county defender offices. The University of Georgia at Athens also operates a clinical program that provides both criminal and civil representation on a county-wide basis. All other areas of Georgia provide for indigent representation through assigned private counsel.

The two pilot public defender offices in Glynn and Whitfield counties are staffed with fulltime attorneys who may not engage in the private practice of law. In the Glynn County office, there are two attorneys: a senior

attorney and a staff attorney, with salaries of \$18,000 and \$14,000, respectively. The Whitfield County office consists of one attorney salaried at \$18,000 per year. Each office has one fulltime secretary. Both offices are directly responsible to the project director, Ms. Kehrer, and are funded for one year as a demonstration project. It is anticipated that an additional year's funding will be available.

III. RECOMMENDATIONS

A. Structure and Personnel

1. Secure Adequate Support Staff

Except for secretarial service, neither defender office has any investigative or other supportive services for the attorney defenders. Without this necessary support, attorneys will find themselves doing work that is more economically and, in some cases, more capably handled by investigators, social workers, and para-professionals. For example, in Glynn County it will be particularly critical to undertake substantial preparation for bond motions because the rural nature of the community causes courts to meet only several days during the month rather than on a daily basis. If bail motions are not properly prepared and continuances granted, defendants not released on bond may often spend more time in jail awaiting trial than if they were convicted. Hence, it is important that alternatives to money bond be developed early for each client who cannot afford bond. Developing these alternatives could be done by an investigator or other para-professional who could enter the case immediately. Much investigative and other preparation can and should also be done by someone other than the attorney.

Standard 13.14 of the Standards of the National Advisory Commission on Criminal Justice Standards and Goals¹ provides, in part, that "...Public Defender offices should have adequate supportive services, including... investigative and social work assistance..."

¹Hereinafter referred to as Advisory Commission.

Accordingly, each office should have at least one investigator. Each office should also seek social work assistance from social agencies in the community and develop cooperative programs with these agencies.

2. Secure Non-staff Criminalistic Consultant Support Services

In preparing a criminal defense it is frequently essential that various criminalistic experts be consulted, whether or not they are utilized as witnesses. For example, in homicide cases, it is always helpful to have a pathologist (preferably a forensic pathologist) examine the state pathologist's report of the autopsy, or a fingerprint expert review fingerprint findings. Utilization of psychologists and psychiatrists is also frequently necessary. Many other areas of expertise require outside consultation.

While it is often possible to obtain payment for various criminalistic experts as witnesses for court appointed lawyers, it is necessary for lawyers to have experts available in the course of case preparation. Each office should have a fund to pay for consultation with such experts (See Advisory Commission Standard 13.14 (3)).

B. Caseloads

1. Monitor Caseload for Indications of Office Activity and Quality of Service

As noted earlier, at the time of the visit to the Georgia defender offices, neither office had as yet undertaken to provide representation. Because the Director's office is located in Atlanta and the defender offices are in other parts of the state, the reports

from the defender offices should be closely monitored for signs indicating too high a caseload. The Director should pay close attention to assure that too many cases are not assumed. She should be able to observe when caseloads are reaching the dangerous level, when continuances on motion of the defendant occur with increasing frequency, when reported interview and investigative time decreases, and when pretrial motion activity decreases. The Director should also make frequent visits to each office and observe the lawyers in action in court and examine case files. At a minimum, a properly prepared case should have an orderly case file with a detailed client interview report, witness statements or memoranda of witness statements, and research case notes.

If the pending caseload begins to exceed what the staff can undertake properly, judges should be advised to appoint private counsel until the caseload is reduced to manageable levels. If the Director foresees the caseload growing too large, it is suggested that the lawyers themselves take the initiative and enlist the aid of local attorneys and present their names to the court so that the court will be encouraged to make private appointments rather than continue the entire burden on an overloaded defender office. The defender offices can encourage the participation of the private bar by making available resources to assist private counsel representing indigents in such functions as preparing motions, memoranda of law and brief bank material. The defender offices can also provide secretarial assistance and investigative assistance if, and when, investigators

become an adjunct to the defender offices. Excessive caseload is among the most important factors resulting in weak representation.

2. Assure an Adequate Number of Attorneys to Deal With Projected Caseloads

In Brunswick County, there were 175 felony appointments and 25 juvenile appointments in 1972. Since Argersinger v. Hamlin, the case extending the right to counsel to misdemeanants where a jail term may result, was not decided until June, 1972, there are no statistics indicating misdemeanor appointments for the year. In Whitfield County, there were 221 felony appointments in 1972. It appears ironic that Whitfield County, which has a substantially higher indigent criminal caseload than Glynn County (221 felony appointments v. 175 felony appointments) has been allotted one defender, while Glynn has received two defenders.

The Advisory Commission Standard 13.12 provides that one attorney in one year should provide representation in no more than 150 felony cases, or 400 misdemeanors cases, or 200 private cases, or 25 appellate cases. The Standard assumes, however, that adequate supportive services exist-- which is not the case in the two experimental offices. Moreover, the location of the Brunswick office in a very rural area of Georgia results in substantially increased travel time. Although according to the Standard, the Brunswick office may be able to provide representation in over half of the indigent criminal cases, the defender office in Dalton will not be capable of undertaking even one-half of the caseload.

Moreover, the recently published report of the NLADA National Defender Survey indicates that the Advisory Commission Standard may be too high. The average response from defenders who do not have investigative assistance, according to the report, sets maximum yearly caseloads at the following levels:

Felonies: 97 per fulltime attorney
Misdemeanors: 295 per fulltime attorney ²

It is suggested, therefore, that the Director study the caseload statistics of the NLADA study to determine an appropriate caseload for the attorneys in the project. Emphasis should be on current active cases rather than caseloads over the entire year to permit a prompt response to overloading that is not available when only year-end statistics are examined.

One partial solution to the problem of accommodating this projected high caseload would be to encourage judges to appoint private counsel in all multi-defendant cases. Such a procedure would also avoid conflicts of interest.

3. Provide Training in Criminal Practice for Project Attorneys

None of the staff lawyers are experienced criminal practitioners, although some have non-criminal practice experience. The attorney assigned to Whitfield County has had extensive private practice experience of a non-criminal nature, and the Director has had extensive experience representing indigents in civil matters in her capacity as Director of GILS. An initial

²Chapman, R. Donald. The Other Face of Justice: A Report of the National Defender Survey. Chicago, NLADA Printing Office, 1973, p. 29.

effort has been made to gain criminal defense training. The Director attended the three-week session of the National College of Criminal Defense Lawyers and Public Defenders, and the consultant arranged for the three staff attorneys to attend the college's three-day program in Richmond, Virginia, January 4-7, 1974. The Director has indicated the intention to seek funds for a statewide criminal law program to include all defender staff as well as attorneys engaged in the pilot project. She also intends to apply for training funds for a continuous training program. Much training is needed and it is recommended that funds be provided for both in-house training and for attendance at other continuing legal educational programs in criminal and trial practice.

In addition to the foregoing, the following is recommended:

(1) The Director should begin an internal staff training program. It is obvious that a highly-developed internal continuing education program is impractical for a four-attorney staff. However, periodic staff meetings should be held. Weekly meetings would probably be difficult because of the distances between offices, and, therefore, monthly meetings, probably in Atlanta, would seem most appropriate. At each meeting a different attorney should present a paper of his research into specific

areas. The papers should become part of an office handbook. Other members of the bar may also be solicited to submit papers on timely topics. In addition, the possibility of developing a cooperative program, particularly with the Atlanta Public Defender and other public defender offices, should be explored.

(2). Memoranda of law and briefs developed by attorneys in particular cases should be distributed to all attorneys in the program. The administrative office should develop an index for such memoranda and briefs developed in particular cases. To encourage greater cooperation among defender lawyers in the state, all defender lawyers in the state should be solicited to supply briefs and memoranda of law for the file in exchange for participation. If this recommendation is followed, careful thought must be given to developing the index. In this regard, reference should be made to the system developed by the National Legal Aid and Defender Association for its criminal law briefbank.

(3). Each staff lawyer should begin immediately to develop his own trial notebook. The notebook should be easily portable so that it can be carried to court each day and should have a loose-leaf binder. If the briefbank is developed, the indexing system for the trial notebook should be identical to the central briefbank. If a briefbank is not developed, the staff attorneys, at least initially, should agree upon an indexing system. A review of court cases should be constantly added to the handbook and the staff lawyers should exchange cases at periodic staff meetings.

Outlines of Search and Seizure and Bond motion cases prepared by the consultant have been left with the defender offices, and may suggest an indexing form and guidelines for case preparation on those subjects.

4. Establish Initial and Frequent Attorney-Client Contact

Since the Georgia project is experimental it is important that it establish good rapport with the clients, and that it demonstrate to the court that it is disposing of cases promptly. In order to accomplish these objectives, the attorneys should promptly contact their clients and frequently consult with them regarding the progress of the case. Too many defender offices and appointed counsel ignore this aspect of representation, and, while perhaps providing adequate courtroom representation, incur the disfavor of their client and the community from which the client comes by not initially establishing rapport, and, thereafter, not frequently consulting with and advising the client. In its Standards Relating to the Defense Function, approved 1971, the American Bar Association, in Standard 3.2, recommends the prompt and complete interview of clients. In Standard 3.8, the ABA states that, "The lawyer has a duty to keep his client informed of the developments in the case and the progress of preparing the defense." Compliance with these standards will go a long way toward achieving acceptance of the project by the general community. Fortunately, the structure of both offices enable the same attorney

to be assigned to provide representation throughout the trial stage. This structure is preferable to the tier representation organization of many larger defender offices which results in different lawyers providing representation at various stages in the trial court level.

5. Provide Appellate and Other Post-Conviction Remedies

As already noted, the Whitfield County office will clearly be unable to provide representation in the majority of indigent cases arising in that county. While the Glynn County office may be able to undertake a substantially greater proportion of the indigent cases, it will not be able to provide representation in all indigent cases.

As cases are completed at the trial level, a problem will likely develop in providing appellate and other post-conviction remedies for trial cases. It is essential for the defenders to be able to seek appropriate post-conviction relief for their clients if the representation they provide is to be adequate (See Advisory Commission Standard 13.1). It will be extremely difficult for the present staff to process appeals and other post-conviction remedies while carrying a heavy trial caseload. Moreover, appellate practice is usually more efficiently done when undertaken by a specialist in that area who can review the record more objectively than the trial lawyers, and who does not experience interruptions caused by a trial call.

For these reasons, it is recommended that an experienced criminal attorney be added to the staff to concentrate on post conviction matters. At the outset, this attorney should service both the

Dalton and Brunswick offices and should be provided with a secretary. The addition of a post-conviction specialist should be given the highest priority over any other staff expansion considerations even though there may develop intense pressure from the communities presently being served to increase the trial staff. (See Advisory Commission Standards 6.2).

6. Develop Pretrial Release Program

Lower court judges have been reluctant to release accused indigent persons on their own recognizance in Brunswick County. This situation is particularly critical because misdemeanor courts do not meet daily and several days may pass before the incarcerated accused has a trial. Thus, whether convicted or acquitted, the indigent accused often spends several days in jail awaiting trial-- a period which may be longer than if he were convicted immediately.

Accordingly, it is important that the defenders develop alternatives to money bond for their indigent clients, and an outline of cases dealing with pretrial release has been provided to the defenders by the consultant. A pretrial release program should be developed and funding requested as the most appropriate method for resolving this problem.

C. Record Keeping and Reporting

The Georgia State Crime Commission has provided the Defender Director with required monthly reporting forms. However, these Crime Commission forms do not include sufficient information for a supervisory attorney to properly supervise the staff and to evaluate staff performance. As a result, additional forms are suggested by the consultant for use by the Project Director. These internal records will also provide information required for the Crime Commission form.

1) Defining a Case

As used in this report, a case is defined as any charge or group of charges arising out of one transaction confronting one defendant in a single court proceeding at one level of proceeding. Where separate charges that would have normally been tried separately are disposed of at one time as part of a plea bargain, each charge is a separate case. Levels of proceedings are divided into trial, appellate, and collateral attack in the trial court. Thus, under the definition, a case includes the bond hearing, the probable cause hearing, and all other trial court proceedings, even though several distinct trial courts are involved, until the trial court loses jurisdiction over the matter. If the trial case is appealed, then, statistically, the appeal is considered another case. If a collateral attack proceeding, habeas corpus, or other post-conviction relief is sought in the matter, that relief also represents another case. Where the collateral attack is appealed, the appeal would be another case. Where two or more

defendants are joined together for one joint trial, each defendant represents a separate case.

2) Files for Active Cases

Information on open cases should be recorded in three places: (1) The "Daily Case Progress Report," (Appendix; Form no. 1); (2) an index card maintained at the secretarial desk; (3) a docket book or master calendar.

Form 1, the "Daily Case Progress Report", should be completed for every case each time there is any court appearance or any activity on the case. One side contains a summary of court activity; the other side contains a summary of preparation activity. Because the State Crime Commission reporting form asks for time spent in particular categories of activities, the form also requires the attorney to indicate the time spent on the case in the categories specified by the crime commission's form.

An index card for each active case should also be maintained in alphabetical order at the defender office in Glynn County. Because there are two lawyers in that office, each lawyer should have a quick reference for questions that arise about a case assigned to the other lawyer and for which the other lawyer has the file. The index card should contain the following information:

- ° name and address of the client
- ° the charge
- ° the file number
- ° the next court date
- ° a summary of what occurred on each of the previous court dates

If the attorneys decide that a secretary may give some minimal information about cases, the Whitfield County office should also maintain the

index card file of active cases for reference. However, if it is decided that providing any information about a case, even the next court date, should be done solely by the attorney, the card index file is unnecessary for the Whitfield County office which has only one attorney.

A master docket or calendar should also be maintained so that attorneys and secretaries have readily available all future court appearance dates for each attorney and for each case. While active cases are more easily maintainable in alphabetical order, according to the names of the client, utilization of alphabetical order for closed cases becomes too burdensome as the offices become older and the dead file of cases grows. Accordingly, it is recommended that 1) all cases be identified by a file number and the office, 2) active cases be maintained in alphabetical order according to the last name of the client, and 3) closed cases be filed in numerical order. If the index card file is utilized, the index card for closed cases should be filed alphabetically on a yearly basis as a cross check for numerically filed cases.

3) Client Interviews

All clients should be promptly and thoroughly interviewed by an attorney at the earliest possible time. Form 2 is a suggested client interview sheet. The purpose of the sheet is to provide a guide to some of the important areas which should be covered in the initial interviewing, and to assure that the interview is thorough. The State Crime Commission reporting form also requires that certain client characteristics be reported— namely race, age, sex, and income. As a result, the interview sheet also includes those items.

4) Monthly Reports

As stated above, the State Crime Commission requires the defender agency to report monthly on the Commission form. Accordingly, Form 4 suggested below is keyed to the State Crime Commission form, with additional data requested to provide adequate information for proper supervision. The suggested reporting forms will be discussed separately.

(1) "Case Summary" (Form 3)

Form 3 is designed to provide a history of a completed case in summary form. The Crime Commission form requires the reporting of court appearances and time involved for all cases that were active during the month as well as cases closed during the month. As a result, Form 3 is not suitable for transcribing information onto the Crime Commission Report. Form 1, the Daily Case Progress Report, can be utilized to compile this information for the Crime Commission.

However, Form 3 can be a useful tool for supervision and for recalling quickly the circumstances of a case that had been in the closed category for a long period of time. Form 3 categorizes the information, while Form 1 provides a continuous summary of activity.

(2) "Dispositions by Charge" and "Non-Trial Activity" (Forms 4 and 5)

Form 4, "Dispositions by Charge," and Form 5, "Non-Trial Activity," are designed to produce the information required by the State Crime Commission as well as additional data. This more detailed information is essential for properly supervising staff attorneys and for evaluating the

representation provided by the office. This form should be transmitted to the Director from each office on a monthly basis.

Form 4 deals with dispositions. Although the Crime Commission form does not require that sentences of disposed guilty results be reported, such information would be very helpful to determine sentencing patterns for two reasons. First, it could identify any appreciable sentencing disparity between like charges in contested matters and noncontested matters, as well as in contested matters involving a jury trial in comparison with contested matters disposed of without a jury. Second, it could identify appreciable differences in sentencing patterns for the same charge when handled by one office as compared to the other two offices providing representation. If substantial differences do appear, an investigation should be made to determine the cause of the disparity. If it is determined that the cause of the disparity is the method of trial, a plea of guilty as against contest or differences in office location, appropriate steps should be taken to end this disparity.

Part A of Form 5, "Pre-Trial and Post-Trial Court Room Activity," is designed to provide information for "Part 2: Workload: Pretrial and Trial" and "Motions for New Trial" of the State Crime Commission form. The Crime Commission report does not ask for the nature of the pretrial proceedings or the result. To properly supervise and, perhaps later, to properly evaluate, it is necessary to know the kinds of pretrial motions staff lawyers are filing to assure that lawyers are fully protecting the rights of their clients and are properly preparing their cases. For example, if lawyers are seldom filing motions to suppress identification, this infrequency may be an indication

of a problem. As a result, Part A of Form 5 categorizes the different kinds of pre-trial motions.

Part B of Form 5, "Appeals and Habeas Corpus," is designed to provide information required by the Commission on collateral and direct attack on convictions. The suggested form also asks for the number of briefs filed by the office and the state in order to provide a closer check on the progress being made in the appellate area.

Part C of Form 5, "Expenditure of Time for the Month--No. of Hours", reports on the expenditure of time by the attorneys in the various kinds of activities that would normally be undertaken by defense attorneys in a defender office. This section will provide the information required by the State Crime Commission report form.

IV. SUMMARY

To achieve effective operation of Georgia's two pilot public defender offices, adequate staff support and training must be provided. This support should include the development of the necessary resources to adequately provide for the public defense needs of the local communities served. In addition, methods must be established for on-going monitoring and analysis of the caseload of each office to assure that these needs are being adequately met. In this regard, the forms appended to this report are intended to provide the basis for a comprehensive reporting system suitable for the pilot offices in Glynn and Whitfield Counties.

The objective of a reporting system is to identify problems and evaluate the quality of representation in a readily understandable form. The reporting system should not create needless paperwork or loss of time. Before any reporting system is adopted, all staff members who will be responsible for the reports should review the forms, and it is strongly suggested that a meeting of the staff be arranged where the forms can be thoroughly reviewed and staff comments considered. It is also essential that each staff member responsible for a report thoroughly understand the forms and be in complete agreement on the meaning of the terms used.

Once an agreement is reached, both in terms of the substance and procedures for recording the activity of the pilot project, an on-going analysis of the project's operations can be made. Such an analysis will enable the project to provide and maintain effective service to the community.

APPENDICES

DAILY CASE PROGRESS REPORT
(SIDE 1)

Defendant _____ Defendant's Address _____ Phone _____
Date of Arrest _____ Defendant in Custody _____ On Bail _____ Age _____
Charge(s) _____ Place of Incarceration _____ Date Released _____ Race _____
Date of First Client Contact _____ Income _____
Date of Interview _____

Court Room Activity

DATE	PROCEEDINGS	PARTY-MAKING MOTION	ORDERS OF COURT	HOURS	COMMENTS

(Over)

STATEMENTS TO POLICE

PHYSICAL EVIDENCE

IDENTIFICATION

Vol. _____ Invol. _____

Yes _____ No _____

Yes _____ No _____

Oral _____ Signed _____

When and where seized _____

Where _____

Contents of Statement _____

When _____

Lineup (others viewed) _____

Where _____

What seized _____

Show up _____

When _____

Circumstances _____

Complainant's Name _____ Complainant's Address _____

Address of Offense _____

Defendant's physical characteristics on the date of the offense charged:

Beard _____ Mustache _____ Style of hair _____ Eye glasses _____

Scars _____ Clothing description: _____

Occurrence Witnesses

Name _____ Address _____

Defendant's Witnesses

Name _____ Address _____

Other Possible Witnesses

Name _____ Address _____

SYNOPSIS OF DEFENDANT'S STATEMENT

(Include full interview, either on reverse side or attach additional pages.)

COMPLAINANT AND POLICE VERSION OF CASE
(As told by the defendant, use reverse side or attach additional pages.)

Possible Areas for Investigation _____

CASE SUMMARY

Sup. Ct.	St. Ct.	Juv. Ct.	Mun. Ct.	Other Ct.
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>

Attorney _____
 Defendant _____
 Date of Appointment _____
 Date of Arrest _____
 Felony _____
 Misdemeanor _____

Ct. Docket No. _____
 Public Defender File No. _____
 Date of First Interview _____ Place _____
 Date Client Released on Bail _____
 Date Final Trial Began _____
 Date of Disposition _____

I. Court Appearances

- a. Bail Release Hearing _____
- b. Probable Cause Hearings _____
- c. Arraignments _____
- d. No. of Appearances on Motions _____
- e. Days of trial (including guilty plea) _____
- f. No. of Continuances _____
- g. Prosecution Motion _____
- h. Defendant's Motion _____
- i. By Agreement _____
- j. Court's Continuance _____
- k. Reason for Extraordinary Delay _____
- l. Mistrials _____

- Dismissed _____
- a. No Probable Cause _____
 - b. After Pretrial Motion Sustained _____
 - c. During or After Trial _____
 - d. After investigation and discussion with prosecutor _____

- Bench Trial _____
- a. Guilty as Charged _____
 - b. Guilty of Lesser _____
 - c. Guilty (on one or more charges) _____
 - d. Not Guilty (on one or more charges) _____
 - e. Not Guilty _____

- Jury Trials _____
- a. Guilty as Charged _____
 - b. Guilty of Lesser _____
 - c. Guilty (on one or more charges) _____
 - d. Not Guilty (on one or more charges) _____
 - e. Not Guilty _____
 - f. Directed Verdict - Not Guilty _____

II. Manner of Disposition

- Withdrew _____
- a. Ineligible _____
 - b. Retained Pvt. Atty. _____
 - c. Conflict of Interest _____
 - d. Other _____
- Plea of Guilty _____
- a. As charged _____
 - b. Reduced _____
 - c. One or More Other Charges _____
- Dismissed _____
- d. Probation _____

- Sentence _____
- No. of Continuances _____
- a. Motion of Prosecutor _____
 - b. Motion of Defense _____
 - c. Court Order w/o Motion From either part _____
 - d. By Agreement of each Party _____

Investigation:

No. of Witnesses Interviewed _____

Prosecution Physical Evidence Examined Yes _____ No _____

Crime Scene Examined Yes _____ No _____

Medical or Forensic Assistance Yes _____ No _____

Explain if helpful: _____

Pre-sentence Investigation _____

Comments:

Classification	Pending Previous Month	Cases Assigned this Month	Overdue Cases	No. Still Pending	Total Contingent	Sentences		Total
						Prob. 2 yrs. to 5 yrs.	Up to 2 yrs.	
a. Convicted								
b. Acquitted								
c. Dismissed								
d. Other								
TOTAL								
(Use this form to record the disposition of cases as they are received, and to show the number of cases pending in each class at the end of the month.)								

FORM 4 - SIDE 2

CRIMINAL LIST

WEAPONS, Carrying,
Possession

PROSTITUTION &
Commercialized Vice

CRIMINAL OFFENSES (Except
2, 3, 16)

PSYCHOTROPIC DRUG LAWS
A. Possession, Divulge

B. Sell

CRIMINAL OFFENSES AGAINST
CHILDREN

CRIMINAL OFFENSES UNDER THE
MORALITY

DISORDER LAWS
MORALITY

DISORDERLY CONDUCT

DISORDERLY

DRIVING WHILE
IMPAIRED

ALL OTHER OFFENSES
EXCEPT TRAFFIC

TRAFFIC (EXCEPT 21)

TRAFFIC

TRAFFIC

TRAFFIC FOR REVENUE

TRAFFIC

NON-TRIAL ACTIVITY

A. PRE-TRIAL AND POST-TRIAL COURT ROOM ACTIVITY

Pre-Trial Activities	No. Filed					Disposition								Prob. Cause Hearing (8) B/O (7), No B/O	Comments		
	(1)	(2)	(3)	(4)	Other Ct.	(5)		(6)		Mun. Ct.		Other Ct.					
	S.Ct.	St. Ct.	Ju. Ct.	Mun. Ct.		S. Ct. M/G	S. Ct. M/D	St. Ct. M/G	St. Ct. M/D	M/G	M/D	M/G	M/D			M/G	M/D
Prob. Cause																	
Writs																	
Motion to Dismiss or Alternative to Pre-Trial Conf. Evid.																	
Motions																	
Waiver of Right of Jury Trial																	
Motion for Discovery																	
Motions to Pay																	
Adm. Exam																	
Dismiss																	
Adjournances																	
Other																	
Pre-Trial																	
TOTAL	1) Supreme Court	2) State Court	3) Juvenile Court	4) Municipal Court		5) Motion Granted	6) Motion Denied	7) Bind Over	8) No Bind Over								

END