

2011 COD-N/ACCD CONFERENCE

New York, NY

Wednesday, July 20 thru Friday, July 22, 2011

Community-Oriented Defender Network

The purpose of this year's conference will be to give defenders guidance, training and real-world examples of COD values and techniques in the context of the recession's impact on resource availability. Members will share their experiences over the last year. We will provide workshops and media training on how defenders can advocate for resources to reduce caseloads and provide holistic services going forward.

ACCD Program

Rising up and connecting: Balancing the scales, protecting America's right to counsel

The recession has had an impact on almost all functions funded by state and local governments, many of which have been forced to consider severe funding reductions now that federal stimulus money is running out. How does the public defender demonstrate value to legislators, other funders, and the general public in a manner that protects public defenders from more extreme funding reductions? What tools does the public defender have access to in order to make that case? While the line staff is managing often crushing caseloads, the public defender needs to be able to marshal internal and external resources, including community resources, to sway opinions toward seeing public defense as an essential function. That is the focus our 2011 ACCD education and meeting.

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[Day 1: ACCD Only] Wednesday, July 20

Rising up to balance the scales protecting America's right to counsel with realistic recognition of our own challenges, and through collaborating with the US DOJ and the ABA and through our own networking

Public defender leadership faces financial, staffing, personnel, and other challenges on a daily basis. These forces often work to isolate the leadership, and managing the responses to these challenges can be all-absorbing. Public defender management can take advantage of access to the U.S. DOJ, to the ABA, and to other public defenders to lessen these burdens.

“Leadership is thus a subtle process of mutual influence fusing thought, feeling, and action. It produces cooperative effort in the service of purposes embraced by both the leader and the led. Single-frame managers are unlikely to understand and attend to the intricacies of this lively process.” *Reframing Organizations: Artistry, Choice, and Leadership* (4th ed. 2003), p 345.

7:00 a.m. – noon and 1:30 p.m. – 4:00 p.m.

Registration

8:30 a.m. – 9:30 a.m.

Continental Breakfast

9:30 a.m. – 10:00 a.m.

Opening remarks on ACCD priorities

Ed Monahan, ACCD Chair and Tim Young, ACCD Vice-Chair

The priorities for ACCD for 2011 are:

1. Advance ACCD and ABA-SCLAID communication and collaboration;
2. Balance the scales to protect America's right to counsel;
3. Creation of a permanent federal structure that protects and supports the right to counsel;
4. Funding of necessary federal resources to support quality public defender services;
5. Provision of high-quality federally funded training for public defense managers, leaders and practitioners;
6. Improving the representation of indigents on pretrial release, immigration, mental health issues and the application of evidence based practices.

10:00 a.m. – 10:15 a.m.

NLADA and the Blueprint for Justice

Jo-Ann Wallace, NLADA President and CEO

10:15 a.m. – 11:15 a.m.

Balancing the Scales: Protecting America's Right to Counsel - the Campaign

Cait Clarke, NLADA Director of Strategic Initiatives

Ed Burnette, NLADA Vice President of Defender Legal Services

Peter Loge, Milo Public Affairs, LLC

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11:15 a.m. – 12:15 p.m.

Efforts to Balance the Scales

Jean Faria, State Public Defender, Louisiana Public Defender Board

Tim Young, Chief Defender, Ohio Public Defender

Cat Kelly, Chief Defender, Missouri

Ellen Greenlee, Chief Defender, Philadelphia Defender Association

Chief defenders from around the country will describe what they are doing to balance the scales even in these difficult financial times. Mark Childress, Senior Counselor of the Justice Department Access to Justice Initiative will join participants for a listening session.

12:15 p.m. - 1:30 p.m.

Lunch (to be provided)

1:30 p.m. – 2:30 p.m.

Efforts to Balance the Scales (cont'd)

2:30 p.m. – 3:30 p.m.

U.S. Department of Justice Update: Access to Justice Initiative and the ACCD priorities

Lynn Overmann, Deputy Counselor, Access to Justice Initiative, U.S. Department of Justice

Deputy Overmann will report on the DOJ's response to topics covered in recent discussions between the ACCD and Attorney General Holder as well as developments in the Access to Justice Initiative concerning indigent defense.

3:30 p.m. – 3:45 p.m.

Break

3:45 p.m. – 4:45 p.m.

American Bar Association Standing Committee on Legal Aid and Indigent Defendants

Hon. James E. Duggan, Senior Associate Justice, New Hampshire Supreme Court

Justice Duggan will address SCLAID's response to the ACCD letter addressing the ABA's Criminal Justice Initiatives.

5:00 p.m. – 8:00 p.m.

ACCD Business Meeting and Dinner - Reports from Committees, Workgroups and Task Forces on Strategic Plan Initiatives.

- a) 5:00 p.m. – 6:00 p.m. Confronting the Leadership Challenge for Public Defenders Created by *Padilla v. Kentucky*
Robin Steinberg, the Bronx Defenders
McGregor Smyth, the Bronx Defenders
- b) 6:00 p.m. – 7:00 p.m. Dinner
- c) 7:00 p.m. – 8:00 p.m. Business Meeting

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Thursday, July 21

2011 COD-N CONFERENCE

DRY TIMES: USING COD TECHNIQUES TO PROVIDE QUALITY SERVICES IN OUR CHALLENGING FINANCIAL ENVIRONMENT

8:00-9:00 Registration and Continental Breakfast

9:00-9:10 Welcome and Opening Remarks

Michael Waldman, Executive Director, The Brennan Center for Justice

Discussing his vision of the Justice Program and the Community-Oriented Defender Network

9:10-9:20 Welcome and Conference Overview

Welcoming attendees, outlining conference goals.

9:20-9:50 Keynote Address

Jeff Adachi, Public Defender of the City and County of San Francisco

Discussing his perspective on how community support has helped his office weather the social/political/funding environment.

9:50-10:00 BREAK

10:00-10:10 NETWORK MEMBER UPDATE/ISSUE PRESENTED—TBD [***Prior to the conference, we will request that, as a part of their update, interested network members would briefly discuss a noteworthy issue/challenge/success that they would like to present as part of their update. 6 members—one hour's worth—will present their issue during the breaks for member updates. This would be a one- or two-question presentation, hopefully laying a foundation for later discussion during the course of the conference.]

10:10-10:20 NETWORK MEMBER UPDATE/ISSUE PRESENTED—TBD

COD PRINCIPLES: III—PARTNER WITH THE COMMUNITY VII—ADDRESS CIVIL LEGAL NEEDS

10:20-11:20 THE POWER OF COMMUNITY, WORKING WITH COMMUNITY PARTNERS TO DELIVER SERVICES

Moderator: Thomas Giovanni, The Brennan Center for Justice

Alex Bunin, Harris County (Houston), TX Chief Public Defender

Discussing the power of community partnerships involved in creating their office in 2010. He will focus on the nuts and bolts: prioritizing maintaining community relations with other responsibilities; impediments faced; helpful legal/political/administrative structures, and the impact of funding system under which they operate.

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**Reverend William A. Lawson, The William A. Lawson Institute for Peace and Prosperity,
Harris County (Houston) TX**

Discussing the advocacy efforts to create the Harris County Public Defender Office, the development of the partnership between the IPP, other community groups and the Harris County Office, and the plans for the continuation of the partnership.]

Kameron Johnson, Travis County (Austin), TX Chief Juvenile Public Defender

Discussing his office's use of academic and other community resources to provide services (including confidentiality issues), as well as some structural relationships in local law and court practice that allow him to pursue and maintain these partnerships.

11:20-11:30 BREAK

11:30-11:40 NETWORK MEMBER UPDATE/ISSUE PRESENTED—TBD

11:40-11:50 NETWORK MEMBER UPDATE/ISSUE PRESENTED—TBD

11:50-12:50 *POTENTIAL NEW PANEL FOR BRENNAN CENTER PERSONNEL—
REPORT ON RACIAL JUSTICE ACTIVITIES/SMART ON CRIME EFFORTS(?). OR WE
COULD LENGTHEN/ADD MORE MEMBER UPDATES**

12:50-1:50 LUNCH, WITH BRIEF MEMBER UPDATES

**COD PRINCIPLE
IX—SEEK NECESSARY SUPPORT**

1:50-2:50 Stories of Success and Challenge in Obtaining Resources

**Molly Huskey, Idaho State Appellate Public Defender's Office, The Public Defender
Advocacy Notebook (PDAN)—“The Ethical Case For Caseload Reduction”**

Ms. Huskey will discuss how she created a PDAN to augment her advocacy for greater resources, culminating in being one of the few organizations to receive a budget **increase** this past year.

2:50-3:00 NETWORK MEMBER UPDATE/ISSUE PRESENTED—TBD

3:00-3:10 NETWORK MEMBER UPDATE/ISSUE PRESENTED--TBD

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3:10-3:20 BREAK

COD PRINCIPLE V—EDUCATE THE PUBLIC

3:20-6:30 SPITFIRE STRATEGIES GROUP AND INDIVIDUAL MEDIA TRAINING: THE ETHICAL CASE FOR THE HOLISTIC/COD MODEL: HOLISTIC REPRESENTATION IS THE SMART WAY TO DO THE RIGHT THING

Media engagement can be a strong contributing force to our efforts to change the prevailing narratives about indigent defense and continue to press for a more just system, to better help our clients and their communities.

THURSDAY EVENING EVENT: APPETIZERS/COCKTAILS AT NA THAI RESTAURANT, NEAR NYU

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FRIDAY, JULY 22

8:30-9:00 REGISTRATION

Rising up to balance the scales protecting America's right to counsel by advancing our skills in our jurisdictions and nationally. We focus on three critical skills: coalition building and community engagement and communication

8:30 a.m. – 12:00 p.m.

Connecting: Coalition Building, Community Engagement and Communication (Part 1)

Cait Clarke, NLADA Director of Strategic Initiatives

Peter Loge, Milo Public Affairs LLC, Washington D. C.,

Heather Hall, Special Projects Advisor, Louisiana Public Defender Board

Rising up to balance the scales protecting America's right to counsel requires our leadership skills to take the next step to meet the complexities of our challenges

Focusing on the success one public defender system had in advancing the right to counsel in a difficult and even hostile budgetary environment, this session will enhance leaders' ability to achieve results by improving coalition building, community engagement and communication with nontraditional allies to advance the right to counsel locally and nationally – and that recognize that defender leaders' plates are already overly full. Cait Clarke and Peter Loge will help attendees understand the critical skills involved in successfully building and sustaining coalitions engaging the community and communicating with persuasive messages and framing. Heather Hall will describe her work to advance the right to counsel and she will relate the lessons learned. This session will include role playing and small group strategizing. There will be a demonstration of effectively implementing effective strategies for building and maintaining relationships with effective communications, including a role play of how to do this work with someone in our jurisdiction. The small group work will include strategizing how to do this with a key person in your own jurisdiction and brief reporting back to the large group of what we are more aware of as a result of your small group thinking.

“Wise leaders understand their own strengths, work to expand them, and build diverse teams that can offer an organization leadership in all four modes: structural, political, human resource, and symbolic.”
Reframing Organizations: Artistry, Choice, and Leadership (4th ed 2003), p 372.

12:00 p.m. – 12:45 p.m.

Lunch

1:00 p.m. – 2:00 p.m.

A Story of Effectively Connecting

Jeff Adachi, Public Defender, San Francisco, CA

Jeff Adachi, San Francisco, California will show us how he is strengthening his office and protecting against budget cuts by building coalitions, engaging the community, communicating and collaborating to advance the right to counsel

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2:00 p.m. – 2:15 p.m. BREAK

2:15 p.m. – 3:15 p.m.

Facilitated Discussion

Ed Monahan, ACCD Chair

Tim Young, ACCD Vice Chair

During this part of the program, the leadership of ACCD wants to hear from and engage conference attendees in discussing challenges to the right to counsel in their jurisdictions, strategies and messages that they have employed (or are considering employing) to address these challenges, and the alliances and partnerships they have built or are building to deliver their message.

3:15 p.m.– 3:25 p.m. BREAK

3:25—4:15 Planning for H/COD Tomorrow: Creating and Managing Internal Change. Finding Young Staff

Moderator: *Brennan Center personnel

Japheth Baker, Legal Aid, NYC, 5 Borough Defenders

Equal Justice Works Justice Corps Fellow 1, TBD¹

Equal Justice Works Justice Corps Fellow 2, TBD²

Introducing senior/managing defenders to creative, talented young attorneys. How to find and retain young “lifers,” who are more motivated by opportunities to do interesting work than with salary differences between offices, and who would come to work in their offices, if managers can create supportive environments. The panelists will be young or new attorneys who want to practice holistically. They will talk about their experiences and their plans for their careers. They will act as representatives of young defenders who are looking for places to work that will help them advance the practice, both through high-quality individual representation, as well with an eye on larger issues.

4:15-4:45 COD-N/ACCD Wrap-Up and Adjournment

The role of a leader is to help people face reality and to mobilize them to make change.

-Ronald Heifitz, *Leadership Without Easy Answers*

Rising up to balance the scales and protecting America’s right to counsel requires ACCD to strategically plan and implement our goals. This is achieved primarily through our committees. Each will report on their work.

¹ NOT CONFIRMED AS YET

² NOT CONFIRMED AS YET