

Nevada



Primary Indigent Defense Delivery System: Public Defender/Assigned Counsel/Contract*

Population in 2002: 2,173,491**

Percentage of State Plus County Expenditures in FY 2002 Attributable to State vs. Counties:

2.6% from State; 97.4% from Counties**

*Source: "Gideon's Broken Promise: America's Continuing Quest for Equal Justice," by the ABA Standing Committee on Legal Aid and Indigent Defendants, at page 5 (December 2004), available at <http://www.indigentdefense.org/brokenpromise/fullreport.pdf>.

**Source: "State and County Expenditures for Indigent Defense Services in Fiscal Year 2002," by The Spangenberg Group (on behalf of the ABA Standing Committee on Legal Aid and Indigent Defendants), at 17 and Table (September 2003), available at <http://www.abanet.org/legalservices/downloads/sclaid/indigentdefense/indigentdefexpend2003.pdf>.

During the 40th anniversary year of the U.S. Supreme Court's decision in *Gideon v. Wainwright*, the American Bar Association's Standing Committee on Legal Aid and Indigent Defendants (ABA SCLAIID) in 2003 held a series of public hearings to examine the implementation of the right to counsel in state court proceedings for poor persons accused of crimes. In January 2005, ABA SCLAIID published its final report based on the testimony provided at the hearings, entitled "Gideon's Broken Promise: America's Continuing Quest for Equal Justice." This information sheet contains a short summary of the "Problems in Indigent Defense" in Nevada that were reported by one of the hearing witnesses, as well as "Recent Reform Efforts" that have occurred in the state. For the complete information regarding each of the statements listed below (including references to hearing transcripts, reports, and other supporting materials), please see "Gideon's Broken Promise: America's Continuing Quest for Equal Justice," available at <http://www.indigentdefense.org/brokenpromise>.

Problems in Indigent Defense

The following problems were reported by the hearing witness:

- Despite the recommendations contained within national standards, there is no provision for formal, systematic training of indigent defense attorneys or support staff at either the state or local levels in Nevada.
- According to the witness, lawyers who provide services pursuant to low-bid contracts in Nevada "need the money to make their office function and have no time for their indigent clients; they get their money every month, but the clients never see their lawyers."
- The public defender office in Clark County, Nevada, the largest county in the state, employs seventy attorneys, thirty-three support staff, and fourteen investigators, yet maintains a trial rate of less than 0.6%.
- Witness testimony also revealed that, in one Nevada county, judges punish attorneys who request funds to hire experts or "raise ugly issues that make judges unhappy."

Recent Reform Efforts

- The Supreme Court of Nevada appointed two committees to examine issues relating to bias in the state's justice system. Reports with recommendations were issued in both 1997 and 2000, both of which included in-depth examinations of indigent defense problems. ABA SCLAID, in partnership with the U.S. Department of Justice's Bureau of Justice Assistance, sponsored the portion of the latter study relating to indigent defense.
- In 2003, the National Legal Aid and Defender Association issued a report about public defense in Clark County, Nevada.