



## Strategic Innovations Groups (SIGs)

Innovative collaborations that directly impact juvenile indigent defense delivery systems

### **Resource Centers**

The Resource Center SIG presents an opportunity for the team to provide leadership, support and mentorship opportunities to juvenile defenders by creating an infrastructure that offers resources, advocacy, policy development and technical support to improve the quality of juvenile defense work.

The work done in the centers can highlight barriers to quality defense representation, such as the urban/rural disparity in indigent defense, high caseloads and other problems that contribute to inconsistent representation across jurisdictions. In addition, the centers can disseminate information about best practices and promising innovations in juvenile indigent defense.

Resource centers will champion the technology needed to build the capacity of the juvenile defense bar and encourage stakeholder participation in high-level state entities, boards and commissions, in an effort to inject the voice of juvenile defense into public into the public policy debate concerning how our society should treat children accused of crimes. Resource Centers will partner with the community to foster a better understanding of the role of the juvenile defender, and build a database of experts to engage in the juvenile justice system.

JIDAN states collaborating on developing capacity building resource centers are: California, Illinois, Massachusetts and Washington.

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### **Meaningful Access to Counsel**

The work on the Meaningful Access to Counsel SIG offers the team the opportunity to work on areas of concern around early appointment of counsel, post-disposition issues, and attorney qualification and performance. The SIG work will include focusing on issues around waiver of counsel, providing training, detention and post-dispositional advocacy, increased appellate work, reducing collateral consequences through sealings and expungements, the identification of and access to special education counsel, performance based standards, caseloads and funding.

JIDAN states collaborating on implementing meaningful access to counsel policies and practices are: Florida, Louisiana, New Jersey and Pennsylvania.

# **Strategic Innovations by State**

## **California SIG— Resource Center**

Under the umbrella of the Resource Center SIG, the California team will center their work on the following discrete tasks.

### ***Develop Competency Protocol***

The California team will work with partners, juvenile system professionals and state policy makers to develop a competency protocol to provide guidance for juvenile defenders and other juvenile system professionals on juvenile competency issues.

### ***Appellate Advocacy***

California will develop new strategies and tactics to advance appellate advocacy in juvenile delinquency cases through strategic training and mentoring, creating a pilot hotline and establishing contact with juvenile trial and appellate attorneys around the state.

### ***Collateral Consequences – Educational Materials***

The California JIDAN team will compile and develop educational materials on collateral consequences for broad dissemination.

### ***Model Indigent Defense Requirements***

The California team will create model requirements for panel and non-defender appointed counsel that may include provisions regarding training, minimum level of client contact, and possible incentives for motions filed and cased litigated.

The California team anticipates delivering:

- Competency protocols
- List of CA juvenile trial and appellate attorneys
- Training programs for trial attorneys and appellate attorneys
- Fully staffed appellate hotline
- Collateral consequences educational materials
- Model panel and none-appointed counsel requirements

# Strategic Innovations by State

## Florida SIG—Access to Counsel

Under the umbrella of Access to Counsel, the Florida team will center their work on the following discrete tasks.

### Concrete Discrete Tasks

#### *Implementation of Waiver of Counsel Rule*

The Florida team will prepare model waiver of counsel guidelines and employ a pilot site.

#### *Implementation of New Practice Standards in Dade County*

Florida will implement recently completed practice standards in the Miami-Dade County pilot site. The guidelines will be used for training, evaluation of performance, promotions and bonuses.

#### *Improve advocacy at detention hearings*

Florida will examine the issue of appointment of counsel at detention hearings in conjunction with the examination of the new rule regarding waiver of counsel, beginning with the analysis of statewide data on detention practices. Further, Florida will strive to implement writ practice as a common procedure in its examination of advocacy at detention hearings.

The Florida team anticipates delivering:

- Baseline data waiver of counsel
- Model waiver of counsel guidelines and pilot
- Model writs for enhanced detention advocacy
- Pilot of practice standards in Miami-Dade county and eventual statewide adoption

# **Strategic Innovations by State**

## **Illinois SIG—Resource Center**

Under the umbrella of the Resource Center SIG, the Illinois team will center their work on the following discrete tasks.

### **Concrete Discrete Tasks**

*Supporting and monitoring implementation of new early access to counsel legislation.*

The Illinois JIDAN team will provide on-going and on-the-ground assistance to counties as they work to meaningfully implement the new early access law.

*Developing and piloting weekend detention hearings.*

The Illinois JIDAN team will support implementation of weekend detention hearings in Cook County.

*Post-dispositional advocacy*

The team will target the representation of children in parole hearings and advocate for them (while helping them advocate for themselves) on a variety of issues related to incarceration. In addition, the team will move toward piloting effective advocacy at institutional disciplinary hearings.

The Illinois team anticipates delivering:

- Statewide implementation of early appointment of counsel legislation
- Weekend detention pilots in Cook County and union contracts for public defenders
- Increased post-disposition representation for youth at parole board hearings and institutional disciplinary proceedings
- Related training materials

# **Strategic Innovations by State**

## **Louisiana SIG—Meaningful Access to Counsel**

Under the umbrella of the Meaningful Access to Counsel SIG, the Louisiana team will center their work on the following discrete tasks.

### ***Develop Uniform Indigence Standards/Presumption of Indigence***

The Louisiana JIDAN will create statewide presumption of indigence standards for all juveniles in delinquency cases, either through court rule or legislation.

### ***Immediate Appointment of Counsel***

The JIDAN team will work with the Louisiana Public Defender Board and other stakeholders to advocate for legislation requiring the appointment of counsel at the earliest stage of a delinquency proceeding—the arrest.

### ***Appellate Advocacy***

The JIDAN team will work to increase the number of appeals taken in delinquency cases across the state by developing a motions bank and conducting trainings on identifying issues for appeal, creating a trial record for appeal, and working with the Louisiana Appellate Project to handle the appeal.

### ***Post-Disposition Representation and Defender Contracts***

The JIDAN team will work to standardize contracts for assigned counsel across the state that fosters uniform understanding of the role of the defender, including post-dispositional representation.

The Louisiana team anticipates delivering:

- Presumption of indigence and immediate appointment of counsel legislation
- An increased number of appeals in delinquency cases
- New protocols for standardized, uniform statewide contracts for assigned counsel
- Juvenile defender training curriculum to identify issues ripe for creation of appeals
- Motions bank to support defenders' appellate work

# **Strategic Innovations by State**

## **Massachusetts SIG—Resource Center**

Under the umbrella of the Resource Center SIG, the Massachusetts team will center their work on the following discrete tasks.

### *Juvenile Defender Advisory Council*

The Massachusetts JIDAN team will form a Juvenile Defender Advisory Council (JDAC) with the goal of creating an energized collaborative juvenile defender culture statewide.

### *Juvenile Defender Mentorship and Hotline*

The Massachusetts team will develop new training and other support services for the mentoring program for court appointed Juvenile Defenders. The team will also develop new training and support services to support and promote the leadership potential of the Supervising Attorneys.

### *Statewide Community Notebook*

Massachusetts is creating a state-wide community notebook to provide lawyers with alternatives to detention and outline the means to create dispositional plans.

### *Web Based Case Management System*

The team will develop and test a web-based case management system to enhance communication among the multidisciplinary legal team and collect demographic data on clients while documenting the functioning (processes, outputs, outcomes) of the team.

### *Juvenile Defense Network*

The team will identify and meet ongoing training needs within each county, specifically instituting a mandatory initial training for all new juvenile defenders in addition to developing practice support materials in modular format.

The Massachusetts team anticipates delivering:

- Juvenile defender advisory council
- A juvenile defender mentoring program and hotline
- Statewide Community Notebook
- Web-based Juvenile defender case management system.
- Training curricula and practice support materials

## **Strategic Innovations by State**

### **New Jersey SIG—Meaningful Access to Counsel**

Under the umbrella of the Meaningful Access to Counsel SIG, the New Jersey team will center their work on the following discrete tasks.

#### *Appointment of Counsel Prior to Detention Hearing*

The NJ JIDAN team will develop protocols to ensure appointment of counsel prior to detention hearings. These protocols will be implemented and evaluated in two pilot counties.

#### *Develop Uniform Indigence Standards/Presumption of Indigence*

The New Jersey JIDAN team will work with other state stakeholders to explore an automatic presumption of indigence for children facing delinquency proceedings, in addition to other strategies to ensure the presence of a public defender at the initial detention hearing.

#### *Post Disposition Representation*

The NJ Team will pilot a law school clinic to represent every child in placement for all post-dispositional issues.

The New Jersey team anticipates delivering:

- Pilot project ensuring counsel at detention hearings
- Develop uniform indigence standards/presumption of indigence
- Create a post-disposition representation pilot project

# Strategic Innovations by State

## **Pennsylvania** **SIG—Meaningful Access to Counsel**

Under the umbrella of the Meaningful Access to Counsel SIG, the Pennsylvania team will center their work on the following discrete tasks.

### **Concrete Discrete Tasks**

#### *Develop Uniform Indigence Standards/Presumption of Indigence*

The Pennsylvania team will develop and implement uniform indigence standards and presumption of indigence standards.

#### *Appellate Advocacy*

The Pennsylvania JIDAN team seeks to build defender capacity in the broader appellate arena statewide by developing an appellate quick reference guide. The team will conduct outreach and training to trial attorneys across the state and encourage juvenile defenders to create adequate records for appeal, spot issues, and to think strategically across cases.

#### *Expungement and Sealing Protocols*

The team will develop the protocol for target counties to increase expungement filings, recruit attorneys or others to proceed with the expungement, and ensure that more juvenile records are being expunged or sealed.

#### *Collateral Consequences – Primer & Checklist*

The Pennsylvania JIDAN team will compile and develop a collateral consequences primer and checklist for broad dissemination.

The Pennsylvania team anticipates delivering:

- Uniform standards for indigency/presumption of Indigence
- Quick reference appellate guide
- Model expungement/sealing protocols
- Collateral consequences checklist & primer
- Juvenile defender training



## **Strategic Innovations by State**

### **Washington SIG—Resource Center**

Under the umbrella of the Resource Center SIG, the Washington team will center their work on the following discrete tasks.

#### *Develop and Distribute Model Colloquies for Attorneys and Courts to Enhance Best Practices*

The Washington JIDAN team will develop, in partnership with educators, defenders, juvenile court judges and court staff, model colloquies at disposition. These colloquies will ensure that children and families understand the courts' instructions and are better able to comply with legal strictures.

#### *Develop Model Juvenile Indigent Defense Contract to Ensure Best Practices*

The team will develop model contract provisions and guidelines for juvenile indigent defense consistent with the Washington State Bar Association's Standards for Indigent Defense Services, specific requirements for client contact, and adopt the NJDC/NLADA *Ten Core Principles for Providing Quality Delinquency Representation*.

#### *Implement New Waiver of Counsel Rule Generally*

The Washington team will gather baseline data from the counties to determine areas of need with respect to implementing the new waiver of counsel rule and to determine which counties are not fully implementing the rule. Washington activities will include assistance and implementation strategies for judges and public defenders in Models for Change sites as well as counties that are not consistently implementing the rule.

The Washington team anticipates delivering:

- Gather statewide baseline data on waiver of counsel issues
- Implement waiver of counsel rules
- Develop model colloquies
- Create model contracts for appointed counsel/contract counsel