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For immediate release

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BATON ROUGE -- On September 23, 2010, LPDB released the most recent report on public defense in Louisiana: "Review of Management and Organization of the Public Defender's Office in Calcasieu Parish (Lake Charles), LA." The report was written by the Bureau of Justice Assistance (BJA) Criminal Courts Technical Assistance Project (at American University).

The request for technical assistance from BJA came jointly from State Public Defender Jean M. Faria and the 14th JDC District Defender, Mitchell Bergeron. Chief District Court Judge Robert Wyatt submitted an independent request for technical assistance to review caseload management in the district.

The public defense function across Louisiana, and even more acutely in Calcasieu, has been chronically underfunded. As a result, the delivery of public defense services has suffered, and the disparity between public defense resources and other criminal justice agencies has created problems throughout the local justice system. State Public Defender Jean M. Faria says, "The system is only as efficient as its least efficient part. In Calcasieu, because of the excessive caseload for public defenders, pre-trial detention times are absurdly long, delaying justice for defendants and victims alike."

The BJA report reviewed and assessed numerous areas of office operations, and noted the need for collaboration and systemic reforms across the justice system.

The Calcasieu Public Defender's Office has continued to make reforms within its office to improve the delivery of public defense services to indigent clients. Mitchell Bergeron has assumed the role of Chief Financial Officer, in order to provide increased management of the office's financial operations. Local attorney Tom Lorenzi became the Interim District Defender on September 1, 2010, while a search for new leadership is underway.

On September 1, 2010, all non-conflict attorneys in the Calcasieu Public Defender's Office became full-time public defenders. Private practice by public defenders has been prohibited. The Calcasieu Public Defender's Office and the Orleans Public Defenders are the only two full-time public defender offices in Louisiana. Calcasieu was able to make this transition because of funding from the Legislature that was specifically earmarked to increase salaries from the level where public defenders, as a practical matter, needed to subsidize their public defender work with private cases in order to make ends meet. Despite having part-time pay, public defenders in Calcasieu had full-time caseloads – sometimes so full that a better-funded office would have hired two or three lawyers to bring their workload within state standards.

The Calcasieu Public Defender's Office and the Louisiana Public Defender Board (LPDB) are defendants in a class-action lawsuit alleging the unconstitutional delivery of the right to counsel in the 14th JDC. In addition, resource deficiencies have created such excessive caseloads that the Calcasieu Public Defender's Office had notified the courts that they would accept no new cases

after August 1, 2010. This deadline was extended to consider Judge Wyatt's request for additional technical assistance to address caseload management.

LPDB Chairman Frank Neuner said, "The incredible expense of our criminal justice system should motivate us to work together for a more efficient system. With financial efficiency comes a system that also works better – ensuring justice that is accurate, swift, fair and final – convicting people because they are guilty, not simply because they are poor."

A copy of the BJA report is available on the LPDB website at:

<http://lpdb.la.gov/Serving%20The%20Public/Reports/District%20Reports.php>
