ANNUAL REPORT OF THE DEPARTMENT OF INDIGENT DEFENSE SERVICES

MEETINGS AND PARTINGS

Presented to the Board on Indigent Defense Services: June 26, 2025

Delivered and Published: July 1, 2025

Table of Contents

[Table of Contents 2](#_Toc201769345)

[Vision 3](#_Toc201769346)

[Mission 3](#_Toc201769347)

[Goals 3](#_Toc201769348)

[Introduction and Executive Summary 4](#_Toc201769349)

[DIDS By the Numbers 5](#_Toc201769350)

[*Davis* Consent Judgment Compliance 6](#_Toc201769351)

[Nevada State Public Defender’s Office 7](#_Toc201769352)

[Attorney Oversight: Mountains of Data 8](#_Toc201769353)

[Training: New Ideas and New Opportunities 8](#_Toc201769354)

[2025 Legislative Update 10](#_Toc201769355)

[SB407 10](#_Toc201769356)

[AB541 10](#_Toc201769357)

[Fiscal Year 2024 Maximum Contribution Amounts and Reimbursements 11](#_Toc201769358)

[Law Student Supervision Operation (LASSO) 12](#_Toc201769359)

[New Projects: Improving Service 12](#_Toc201769360)

[Annual State and County Data: 15](#_Toc201769361)

Vision

Justice. Equity. Support.

Mission

The mission of the Nevada Department of Indigent Defense Services (DIDS) is to assist Nevada counties in developing quality, equitable, and sustainable indigent defense systems that strengthen local communities and meet or exceed the state and federal constitutional guarantees that protect each of us.

Goals

The goals of DIDS are to build a strong and resilient statewide network of effective indigent defense providers and to support them with regular education, training, and other defense-specific resources, including experts, investigators, social workers, and other valuable tools. DIDS also seeks to create a centralized resource center that provides holistic defense services and complex litigation assistance. DIDS is also working to create a pipeline program through Boyd School of Law at UNLV, to bring more qualified indigent defense attorneys into the rural areas.

Introduction and Executive Summary

“Life is made up of meetings and partings.”[[1]](#footnote-1)

Since the publication of the last report of Department of Indigent Defense Services (DIDS), DIDS and the Board on Indigent Defense Services (BIDS) have experienced the departure of the first Executive Director of the Department, the first Executive Assistant of the Department, and two members of the Board who served since its inception. These institutional heavyweights will be sorely missed—their zealous dedication to public defense and advocacy on behalf of the indigent defendants ultimately served by the Department will be difficult, if not impossible, to match. For their contributions, we will be forever grateful.

Marcie Ryba, Cynthia Atanazio, Laura Fitzsimmons, and Harriet Cummings have all left an indelible mark on the Department.

During the Legislative Session, Bet Torres-Perez and Ashley Torres took temporary positions with the Legislature, and the Department was fortunate to be able to hire some excellent long-term temporary staff to meet the Department’s day-to-day needs. We are very grateful for the work done by Ashlynn Chevalier, Rachel Maiello, and Casey Popovich for their work over nearly 8 months with the Department.

In December of 2024, I was appointed as the Executive Director of the Department. To continue to carry out the Department’s mission, more good people were needed: joining the Department as Deputy Director is Homa Sayyar, and beginning in July 2025, Casey Popovich will join DIDS as Executive Assistant.

Due to the changes in staffing, you will notice the structure and presentation of this year’s Annual Report is quite different. However, some of the hallmarks of past reports can still be found in these pages, including data and statistics, a *Davis* compliance update, the status of the State Public Defender’s Office, an overview of attorney oversight, an overview of our training programming and funding, a review of some legislative changes from the 2025 Legislative Session, some noteworthy reimbursements made to counties, information about the successes of the LASSO program, some new projects currently underway, and some new goals for the Department.

DIDS By the Numbers

Counties Reimbursed for FY 24 13

Total Amount of Reimbursements for FY 24 $6,339,213.56

DIDS Employees 9

Attorneys Qualified by the Department 139; 30 new in 2024

Cases Assigned by the Department (Excluding Designees) 2,453

CLE Hours Provided to Attorneys 1,267.5

JusticeText Licenses in use by Attorneys 70

Attorneys Financed to Attend Trial Academies 9

Requests for Attorney Fees and Expenses Reviewed 2,919

Oversight Contractors 3

Counties Visited to Conduct Oversight 15

Oversight Reports Lodged with the Department Over 750

Years Supporting the Sixth Amendment 6

*Davis* Consent Judgment Compliance

This year has presented the greatest challenges yet to *Davis* judgment compliance. The Department has been pushing, since before the release of the National Center for State Courts’ (NCSC) study, for Nevada’s rural counties to increase their public defender recruitment and retention efforts. Most Counties have stepped up to the challenge, whether by creating new public defender positions, increasing contract pay, opting into State Public Defender representation, or by overhauling their public defense structure to increase flexibility.

As of the writing of this Report, the following counties are in compliance with the NCSC study: Esmeralda, Eureka, Lander, Lincoln, Mineral, and White Pine. This leaves Churchill, Douglas, Lyon, and Nye Counties with insufficient attorneys to meet the study’s recommendations and comply with the obligations of the *Davis* Consent Judgment.

However, there still remains a dearth of attorneys in, or willing to relocate to, rural Nevada. Douglas County is about an hour’s drive South of Reno and forms a portion of the shoreline of Lake Tahoe. It offers the highest contract rate in the State of over $260,000 yet still has difficulties with attracting and retaining sufficient numbers of qualified defense counsel.

While the Department has had several successful placements of law school interns in rural Nevada, so far, only two have accepted employment, both in Carson City. Interviews with law students tend to show that there are a few reasons for this. First, the private market is still accepting newly graduated attorneys at much higher rates of pay than the public sector offers, substantial enough that several students indicated that they felt they could not turn down private firm offers they’d received, even if they wanted to go into public service. Second, they are concerned that professional or personal success or growth may be stymied by taking positions in rural Nevada. Third, some of these students simply didn’t want to give up the urban environs and conveniences.

The first reason is the most readily addressable by the counties and the Department, as funds are available to reimburse counties for increased salaries paid to public defenders. The second and third reasons are more difficult to address, but programs like LASSO, continued rural attorney engagement with law students, and improved communication to students as to the benefits, rather than the detriments, of living and working in rural Nevada are likely to continue to change opinions over time.

Additionally, the Monitor has brought up additional concerns related to the independence of the Department and the State Public Defender. As discussed in more detail below, these concerns were addressed by statutory amendments during the 2025 Legislative session. It is expected that these changes will allow the Department to be able to take the oftentimes unpopular positions necessary to ensuring that public defense is appropriately supported and to continue to develop a culture that is centered around the needs of indigent clients.

Nevada State Public Defender’s Office

The NSPD has seen some major changes in the last year, with more emerging in the near future. Patricia “Patty” Cafferata, State Public Defender, resigned from her position, and Andrew Coates was appointed by the Governor in January to succeed her. Since then, the White Pine Branch has added another Deputy Public Defender to its ranks, providing some relief to the workloads of the other attorneys in the Office providing case coverage. Additionally, the Office has hired a legal researcher to provide research and editorial support to the attorneys. The White Pine Branch has been able to continue to shoulder the caseloads with the excellent assistance of Jane Eberhardy and Julie Cavanaugh-Bill, who handle a significant portion of the adult cases and all the juvenile cases, respectively.

Beginning in July of 2025, the Office will be providing indigent defense services in Humboldt County. The Office has been working hard to secure the necessary facilities, people, and supplies to begin to meet its obligations in Humboldt County as quickly and efficiently as possible. Office space in Winnemucca has been identified and interviews for several new hires have already taken place. New staff will begin working with the Office in early July. By having positions held in reserve from the former Carson City Branch, the Office has been able to act more rapidly to fill the new vacancies in Humboldt—typically, it can take from a few weeks to a few months to complete and process the paperwork required to create new positions in State government. As it may take time to employ sufficient attorneys to meet the NCSC workload requirements, the Office is reaching out to potential contractors to take on a significant portion of the workload.

Attorney Oversight: Mountains of Data

The recruitment and implementation of the department’s oversight advisors has provided unparalleled insight into the performance of indigent defense counsel on the ground. The advisors have produced an enormous amount of data over the last year, visiting every county, almost every courthouse, and observing nearly every attorney practicing in Nevada’s fifteen rural counties. Ultimately, no less than seven hundred and fifty reports were delivered to the Department from July 2024 to June 2025, detailing single-day snapshots or multi-day observations of the representation of nearly all of the attorneys qualified by the Department.

The outreach advisors and their reports have proven to be a critical component to performing the obligations of the Department. Based on some of the reporting, the Department has modified case assignments to ensure appropriate caseloads, contacted attorneys to ensure their health and well-being permitted them to continue to take cases, and help develop solutions to procedural issues faced by indigent defense attorneys in some of the rural counties.

During the last year, due to staffing shortages, it has been difficult for the Department to be able to fully analyze and utilize the outreach advisor reports. The Department expects that, going forward with a full complement of Directors, it will be able to engage with the outreach advisors with much greater frequency, review all of the reporting received, and more completely identify and address developing issues as they arise.

Training: New Ideas and New Opportunities

With more funding and fewer constraints, the Department has been able to develop a robust training schedule that allows not only opportunities for public defenders to receive the mandatory amount of CLE credit, but to try new technologies, engage with other attorneys to build professional networks, and to learn (or teach!) at highly acclaimed skills courses.

One of the primary goals of the Department is to provide indigent defense providers with access to a systematic and comprehensive training program. To that end, we held our 5th Annual Conference in April of this year in Reno. By any measure, the conference was a success!  The theme of this year’s conference was “Defending Crimes of Violence.” We brought in 12 speakers, 5 of whom were from out of state and are preeminent attorneys in their fields. We once again partnered with the Nevada Public Health Foundation, Inc. (NPHF), who provided conference management and facilitation services for the 2025 conference. With the increased funding available, the Department was able to reimburse travel costs for all of the rural indigent defense providers who had to travel to attend, and we had a record turnout. Attendees earned a total of 557.5 hours of continuing legal education (CLE) credit, all specific to criminal defense. This year, we experimented with a three-day format that went from 1:00 pm on day one through 12:00 pm on day three, which allowed for easier travel for attendees and decreased hotel and facility costs. Attendees overwhelmingly preferred this scheduling arrangement.

As with prior conferences, the Department has continued its commitment to building connections within the indigent defense community. First, we worked with Nevada Attorneys for Criminal Justice to host an opening-night reception that was well-attended. Second, we had a lunchtime leadership session with select rural attorneys to discuss the challenges they face in their leadership roles and hear how other leaders are handling those challenges. Finally, we facilitated an evening dining event with the aim of allowing indigent defense providers from different areas of the state to interact in a more relaxed setting. Feedback from the conference was uniformly positive.

Over the course of this last year, the Department was also able to provide a total of 530 hours of CLE credit through our live online webinars. Courses covered a variety of topics, including ethics, mental health, appeals, strangulation, civil resources for indigent defendants, handling difficult clients, a juvenile-law primer, and WestlawEdge research. Because we have been able to record these live online webinars, were also able to facilitate *an additional* 180 hours of on-line CLE credits by providing links to past courses to attorneys who requested them.

As this was the first full year that we had an enforcement mechanism for the Board’s regulation requiring five hours annually of CLE courses relevant to the provision of indigent defense, the Department started reminding attorneys in October of the requirement and the January 1 deadline for compliance. Dozens of attorneys took advantage of this to meet their regulatory obligation.

Last, but certainly not least, we have been able to arrange reimbursement for nine attorneys to travel to and participate in nationally recognized criminal defense trial academies.

2025 Legislative Update

SB407

Senate Bill 407, enrolled as Chapter 519, becomes effective July 1, 2025. The bill modified existing provisions of Chapter 180 of the Nevada Revised Statutes in ways that address the *Davis* monitor’s principal concern in her 14th and 15th Reports, namely, independence of the Public Defender and the Department of Indigent Defense Services.

SB407 provides that the Executive Director of the Department serves at the pleasure of the Board on Indigent Defense Services and authorizes the Board to remove the Executive Director for good cause; further, the Governor may only remove the Executive director upon a finding of criminal conduct, in or out of office, or for committing an act that constitutes malfeasance or nonfeasance in office.

SB 407 also removed the appointment authority of the State Public Defender from the Governor and provides that the Executive Director shall appoint the State Public Defender. Additionally, appointees to the Office of State Public Defender need not be fully licensed to practice law in the State of Nevada but must be “authorized to practice law in the State of Nevada pursuant to the rules of the Supreme Court.”

AB541

Assembly Bill 541, enrolled as Chapter 282, becomes effective upon passage and approval for administrative purposes and on July 1, 2025, for all other purposes. The bill modified Chapters 7 and 34 of the Nevada Revised Statutes to cause funding to be budgeted and paid to post-conviction counsel from the State Public Defender to the Department of Indigent Defense Services. This is consistent with the Division’s review and approval of payment of attorney work in other areas and removes the stewardship of these funds from the State Public Defender’s Office. It is anticipated that these changes will allow the State Public Defender to focus on defending its clients.

Fiscal Year 2024 Maximum Contribution Amounts and Reimbursements

The Department reimbursed even higher amounts to Counties in Fiscal Year 2024, demonstrating the increasing costs of indigent defense representation and increased county investments in their indigent defense programs. The table below provides an overview of each county’s maximum contribution amount, spending, and reimbursements received in Fiscal Year 2024.



Law Student Supervision Operation (LASSO)

The Department continues with its efforts to reach as many students as possible. In October, we hosted Professor Stephen Bright (Yale and Georgetown), coauthor of *The Fear of Too Much Justice: Race, Poverty & the Persistence of Inequality in the Criminal Courts*, at the Boyd School of Law where he gave an inspiring presentation regarding the importance of indigent defense. The student response was extremely positive. To extend our reach even further into places more geographically similar to rural Nevada, we participated in February in an online recruiting event with the Northwest Consortium of Law Schools. We received several inquiries from law students there. We will continue to look for opportunities to promote our program here in Nevada and to our neighbors in the West.

We saw the growth of our LASSO program this year. Last fiscal year (FY24), we awarded six stipends. This year (FY25), we have thus far awarded three Scout level (1L) stipends, five Trigger level (2L) stipends, and one Training Materials stipend to a recent law school graduate who has accepted employment in a rural public defender office (Carson City). Based on the year-over-year increase, we only expect the program to continue to grow in the coming years.

New Projects: Improving Service

The major changes the Department has seen in the last year have made it apparent that we need to ensure that we have more comprehensive, recorded, available policies and procedures to see that our obligations are met. While certainly not the most adventurous of projects we could be embarking on, it is fundamental that the Department offer consistency of service to the attorneys we support, attorneys know what to expect, and temporary or permanent staff changes don’t result in negative effects on our system of public defense. While we are often striving to move the Department forward, it’s often prudent that we take a look back on how we are performing our work, and what improvements could be made to our system to provide the best service we can.

In the past several years, the Department has taken on many additional roles and responsibilities. In 2021, the Department began reviewing and approving requests for prior approval of retention of investigators and experts and for reviewing attorney claims for fees. In 2023, the method for determining each county’s maximum contribution amount changed, the Department was tasked with providing weekend and holiday stipend funding, and we took over the review and facilitation of payments for attorney fees in post-conviction cases due to a shortage of staff in the State Public Defender’s Office. In 2024, the Department hired and began reviewing the reports of the outreach advisors. Over the same time period, the Department has seen substantial growth in the billing for appointed counsel and billing for hourly contracted counsel. Each of these changes came with steep learning curves and only minor increases in staff, which often lagged behind the increased responsibilities. While trying to ensure that the Department was getting the work completed, we weren’t as focused on fully documenting the processes we were using to fulfil these obligations, resulting in them not being easily found or understood without significant training.

To address these issues, we have begun reviewing and revising our policies, procedures, internal controls, and forms. In the last year, the Department published Attorney Billing Guidelines, to give attorneys, our designees, and the counties guidance on how we conduct our review of attorney fee requests. We have also developed a new system of forms, which, when used correctly, should save time for both the attorneys seeking payment and the Department’s staff who review the claims. Currently under development are Investigator and Expert Billing Guidelines, to provide more guidance to attorneys who make requests for payment of expert and investigator expenses and designees and staff who review them. Taken together, these should allow a third party to review an approved or denied bill and identify why the conclusion was reached and what might be done to remedy any deficiencies.

We are also going to be developing a full set of revised Departmental policies, to reflect the significant changes in the staffing and structure of the Department since many of the policies were first put into place in 2019-2020. These changes will, of course, incorporate those changes typically seen when an agency reviews its policies, such as revised internal controls, revisiting employee authorizations to certain types of information, and standardizing record-keeping. But we will also be incorporating best practices in indigent defense service oversight and delivery, including clearly incorporating attorney workloads into the attorney selection process, ensuring that the review process of requests for investigators and experts are focused on each indigent defendant’s needs, and including broad exceptions to rules, so that our decision-making doesn’t interfere with the autonomy of defense counsel to work their cases as necessary and appropriate or otherwise work to the detriment of a client.

Of course, we can’t do it all on our own. We will be working with attorneys, county officials, academics, and our Board on Indigent Defense Services at nearly every step to obtain perspective, guidance, recommendations, and troubleshooting. We’re looking forward to continuing to work with all of our partners on these projects in the future!

Annual State and County Data:

1. Kermit the Frog, playing Bob Cratchit, The Muppet Christmas Carol (Jim Henson Productions & Walt Disney Pictures 1992). [↑](#footnote-ref-1)