

## Comparison Between ABA Ten Principles and Proposed Temporary Regulation

<u>ABA Ten Principles of a Public Defense Delivery System</u>	<u>Proposed Temporary Regulation of the Board on Indigent Defense Services</u>
1. The public defense function, including the selection, funding, and payment of defense counsel is independent.	Sec. 18, 19, & 20 Sec. 23 Sec. 24(1)(b) Sec. 27(2)
2. Where the caseload is sufficiently high, the public defense delivery system consists of both a defender office and active participation of the private bar.	Sec. 22
3. Clients are screened for eligibility, and defense counsel is assigned and notified of appointment, as soon as feasible after the client's arrest, detention, or request for counsel.	Sec. 25
4. Defense counsel is provided sufficient time and confidential space within which to meet the client.	Sec. 26
5. Defense counsel's workload is controlled to permit the rendering of quality representation.	Sec. 42(1)(f) Sec. 46 Sec. 47

<p>6. Defense counsel's ability, training, and experience match the complexity of the case.</p>	<p>Sec. 21 Sec. 30 - 39</p>
<p>7. The same attorney continuously represents the client until completion of the case.</p>	<p>Sec. 28</p>
<p>8. There is parity between defense counsel and the prosecution with respect to resources and defense counsel is included as an equal partner in the justice system.</p>	<p>Sec. 41 Sec. 42(1)(j)</p>
<p>9. Defense counsel is provided with and required to attend continuing legal education.</p>	<p>Sec. 39 NRS 180.430(2)</p>
<p>10. Defense counsel is supervised and systematically reviewed for quality and efficiency according to nationally and locally adopted standards.</p>	<p>Sec. 29 Sec. 40 Sec. 45 - 47</p>