

Soval Solutions, LLC

Recommendations for Senior Policy Counsel Positions

Prepared for the Nevada
Department of Indigent Defense Services

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Summary

Soval solutions has been working closely with the Nevada Department of Indigent Defense Services (DIDS) for over a year to determine the optimal methods for conducting oversight within those counties that are affected by the settlement consent judgment in *Davis v. Nevada*. Initially, in 2021, Soval Solutions and DIDS conceptualized a system whereby DIDS personnel would seek to collect self-reported data from attorneys, judges, and other actors within the judicial branch that are involved in providing indigent defense services. The approach would have provided basic information about the delivery of justice for indigent criminal defendants, as well as other individuals who rely upon court-appointed attorneys, in those rural counties.

As time has passed and the full scope of oversight tasks has come into view, two things have become clear. First, the initial conceptualizations of DIDS oversight functions were much too narrow. Second, DIDS cannot effectively carry out its oversight responsibilities with current staffing levels in place. What is needed, specifically, are two Senior Policy Counsel positions and a reclassified Program Officer II position that will allow DIDS to carry out its required oversight functions pursuant to NRS 7.115-7.145, NRS 171.188.

The Senior Policy Counsel positions will have several responsibilities that will enhance the ability of DIDS to effectively monitor the administration of indigent defense service in rural Nevada counties. The positions will have the following responsibilities:

- Provide in-depth policy analysis by observing court procedures, reviewing client feedback, etc.
- Make determinations as to whether the county is in compliance with regulations.
- Perform both in-depth policy analysis and “quick response” research on a broad variety of subjects.
- Prepare in-depth research papers, reports, policy publications, and recommendations to leadership.
- Conduct statistical analyses.
- Compile other written products and research memoranda as required.

The positions will require an estimated 40% of travel to rural counties in Nevada. This travel is necessary for the Policy Counsels to actively observe court procedures, review client feedback, and other related tasks at the local level. Remaining time will be spent reporting back to the DIDS Deputy Director regarding counties compliance with existing regulations.

This model has been used in other jurisdictions with remote areas that are required to adhere to specific standards in the delivery of indigent defense services. The State of Texas, in particular, has a robust system of oversight delivered through the Texas Indigent Defense Commission (TIDC). The TIDC employs 15 policy and fiscal analysts to examine: access to counsel, quality of counsel, and engage in data collection and reporting. This work is in response to requirements put forth by the Texas Task Force on Indigent Defense, created over 20 years ago. In short, the TIDC carry out many of the same functions as would a Senior Policy Counsel under the current proposal. The creation of the proposed positions would, therefore, not only enhance the ability of DIDS to carry out its responsibilities within Nevada, but it would also bring Nevada closer to providing the same oversight of indigent defense service providers that is being provided in peer states.