

Neighborhood Defenders Program: An Evaluation of Maryland’s Holistic Representation Program

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This article provides insights and lessons learned from the Neighborhood Defenders Program (NDP) established by the Maryland Office of the Public Defender in 2006. The NDP is a holistic representation model that uses interdisciplinary teams of lawyers, social workers, law clerks, support staff, and college interns to provide legal representation while assisting clients with social and economic concerns such as reentry, housing, employment, immigration, mental health, and education. Clients are eligible for social service assistance from the NDP indefinitely, even after their legal case has been resolved. First, the authors provide an overview of holistic criminal defense and a description of the NDP. This is followed by a brief description of evaluation methods and a report of the main findings, which are based on interviews, focus groups, and observations with clients, attorneys, social workers, support staff, and families or guardians of clients. Last, the authors provide concluding thoughts and recommendations based on these findings that may help others who seek to establish or improve existing holistic criminal defense practices. It is the authors’ goal to contribute to dialogue around holistic criminal defense programs to maximize benefits to clients and to avoid or mitigate any harm.

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HOLISTIC CRIMINAL DEFENSE PRACTICE

The holistic criminal defense movement grew out of public defenders' recognition of the varied and complex needs of low-income clients. Many became frustrated with a standard focus on the "case" over the "client" (Steinberg, 2005) and believed that also addressing the social, economic, and reentry needs of their clients would provide more effective assistance (Steinberg & Feige, 2004). The Bronx Defenders, a leading proponent of holistic practice that also promotes and trains defenders across the country (Crutchfield, 2010), defines *holistic defense* as:

An innovative, client-centered and interdisciplinary model of public defense that addresses both the circumstances driving poor people into the criminal justice system as well as the devastating consequences of criminal justice involvement by offering criminal, as well as related civil legal representation, social work support, and advocacy in the client community. (www.bronxdefenders.org, 2009)

Holistic approaches are designed to support clients in making life changes to prevent future contact with the criminal justice system. These include assistance to clients who suffer from a host of collateral consequences, which are "the indirect, rather than direct, consequences that flow from a criminal conviction" (Pinard, 2004) such as exclusion from public housing, public assistance, employment, voting, licenses necessary for certain vocations and driving, and the threat of deportation for immigrants (Smyth, 2005). Ammar and Downey (2003) suggested that holistic practice is an expression of caring for and commitment to clients that enables defense attorneys to carry out a socially just practice.

Although evaluations of holistic representation programs are sparse, there seems to be growing public support for such programs, as evidenced by recent Bureau of Justice Administration funding for the Center for Holistic Defense for training other sites (Crutchfield, 2010). An internal evaluation of The Bronx Defenders, with 6,000 clients, reported better outcomes in the form of more dismissals and acquittals and shorter jail time as well as higher levels of client satisfaction with the outcomes of the representation received and with the defense process (Crutchfield, 2010). To date, the most comprehensive, publicly available evaluation template of a holistic public defenders program was created by the Knox County 6th Judicial District Community Law Offices (Knox County Public Defenders Community Law Office, n.d.). The Georgia Justice Project reports tremendous cost savings ("How Can Georgia Turn Lawbreakers into Taxpayers," 2010), but many of these do not seem to stem solely (or at all) from holistic defense per se as that project includes other innovations. The Neighborhood Defender Service of Harlem and the Miami-Dade Public Defender, two other well-known existing

integrated models, are highly acclaimed, but they have either limited or no outcomes data available. The Neighborhood Defender Service of Harlem conducted an evaluation in 1991 that looked at the factors associated with developing and implementing a holistic defense model. The sample size used in the evaluation was too small to allow the results to be applied to a larger population. The Miami-Dade Public Defender's office has not conducted an evaluation on its overall programs, but in 2000 the office did evaluate its Juvenile Sentencing Advocacy Program. The Juvenile Sentencing Advocacy Program exhibits potential to reduce the number of youth who are transferred to the adult court from being sentenced to adult jail, but more in-depth evaluation is necessary. A study of public perspectives in St. Louis (MO), Dallas (TX), Baltimore City (MD), and San Jose (CA) on public defense and the criminal justice system (Belden Russonello & Stuart Research and Communications, 2000) found that focus group participants were concerned about increasing crime and were dissatisfied with the failure of the criminal justice system to lower crime rates. Respondents in all focus groups firmly believed in a person's right to quality counsel, despite his or her social class, and questioned the quality and equity of services provided to indigent people. Baltimore participants were the only ones to support an expanded public defender role that would include social services.

There has also been criticism about an expanded role of public defenders. On a practical level, some public defenders worry they may not receive the necessary support from their staff to implement a holistic model and that funders may not finance the undertaking (Steinberg & Feige, 2004). Clarke and Neuhard (2004) cautioned that addressing needs outside of the client's legal defense will consume resources that can be used to better defend more clients. Others recognize the benefit of a holistic approach but reject the absolute replacement of existing approaches that hold a central role for trial lawyers based on ethical and professional merits (Holland, 2006). The debate over therapeutic justice-informed models of defense (Wexler, 2005), which may be viewed at the extreme end of a holistic representation continuum, is instructive. Critics see therapeutic approaches as paternalistic; they may include often unwarranted assumptions of client guilt and a need for rehabilitation that undermine individual representation and more general trust in the public defense bar (Quinn, 2005). Particular models of holistic representation have been critiqued for compromising effective defense through well-meaning but misplaced allegiance to other values, such as redemption and forgiveness (Bader, 2003). These concerns are exacerbated by the therapeutic focus on individual behaviors (and fault) to the exclusion of societal ills, such as poverty, unemployment, and a lack affordable housing.

Still others see the provision of social services within the bounds of existing resources as compatible with good defense lawyering, so long as attorneys retain their primary goal of zealous and quality representation (Marrus, 2005; Quinn, 2007). For these scholars, the proof of whether

expanded notions of representation are good for clients ultimately rests on the compromises and concessions that their implementation demands, which makes it all the more important to understand how holistic representation models work in specific practice settings. Given concerns regarding paternalism, client autonomy, and the potentially deleterious impact of these practices for client representation and outcomes, it seems especially important to consider client perspectives as a crucial component of any evaluation.

MARYLAND'S NEIGHBORHOOD DEFENDERS PROGRAM

Maryland's holistic public defenders' program, the Neighborhood Defenders Program (NDP), was launched in Montgomery County in 2006 (Di Pasquale, 2006) and later expanded with a community office in the Park Heights neighborhood of Baltimore City.

Montgomery County

The NDP representation model is used with all clients of the Office of the Public Defender in Montgomery County. The program was introduced to an established staff, with the exception of the program's three social workers who started at the inception of the NDP. Montgomery County has 16 Circuit Court attorneys, 10 District Court attorneys, five Juvenile Court attorneys, and one education attorney. The office averages 30 interns and 25 law clerks per year. The program's director organizes paid and volunteer staff into six teams with 10 to 16 members each, including a supervisor, Circuit and District Court attorneys, a social worker, legal assistants, law clerks, student interns, and support staff. The physical layout of staff offices is organized by space availability, which physically separates team members. The teams are instructed to meet weekly to receive updates and discuss cases. One team handles only juvenile cases. Two social workers rotate between teams yearly, whereas the juvenile social worker always remains with the juvenile division. A "related services" attorney who resigned was not replaced, although Montgomery County's NDP retains an education attorney to assist juvenile clients. Montgomery County has a high number of Latino clients and employs bilingual staff. Montgomery County's NDP handles all types of cases from the smallest misdemeanor through murder.

Park Heights Neighborhood in Baltimore City

The Park Heights NDP, implemented one year after the Montgomery County NDP began, represents clients in the Park Heights neighborhood of Baltimore City. The staff and team were brought together with prior knowledge of the program and its mission. Since October 2008, it has been housed on the

second floor of a building with a community health center. The office reception area has free program information, toiletries, and clothes openly displayed for clients and community members to take. The Park Heights NDP director has an office next to the reception area and the social worker sits in a low-walled cubicle next to the receptionist. The remaining attorneys work in an adjacent room in cubicles that open toward the middle of the room to encourage exchange. The office also has a large conference room, where expungement open houses are held, that is available for neighborhood groups in the evening. The office, which only handles adult cases, has four District Court attorneys, three Circuit Court attorneys, two paralegals, one social worker, a related services attorney, and student interns. The entire office is considered one team. Because of the office's distance from the court house, most Circuit Court attorneys spend the majority of their time out of the office, occasionally attending the biweekly team meetings. The majority of the Park Heights clients are African American, reflective of the neighborhood's population, and live at or below the federal poverty level. Most cases involve narcotic charges and are handled in District Court followed by robbery, felony narcotics, attempted murder, and murder.

METHODS

After 2 years in operation, the NDP worked with the University of Maryland, Baltimore School of Social Work to evaluate its efforts and suggest improvements. Together they developed the evaluation project based on program goals, concerns raised by stakeholders, and publicly available guidelines from existing programs and national organizations, like the National Legal Aid and Defender Association. Because holistic representation places an emphasis on engagement with clients and teamwork, we used a qualitative evaluation to elicit multiple perspectives and insights into practices and processes. Interviews and focus groups were guided by open-ended questions that encouraged participants to discuss their program experiences and opinions (Creswell, 2009), while an observation guide instructed what data to collect during client observations. Data collection took place from January through May of 2009. In total, 53 staff members and clients participated in the evaluation, with the preponderance from Montgomery County because of its larger size and longer tenure, as described in Table 1.

Interviews with staff were conducted on site and audiotaped. Participants were guaranteed confidentiality and any identifying information was removed during transcription. Interview guides were used to lead discussion, but participants were encouraged to discuss any aspects of the program they deemed important to the evaluation. Questions focused on the participant's background, the NDP program, client interaction, referrals, team work, community involvement, and job satisfaction.

TABLE 1 Study Participants by Type and Location

Location	Staff interviews	Client focus groups	Client observations
Montgomery County	3 social workers 4 public defenders: 3 Circuit Court and 1 Juvenile Total: 7 staff	2 focus groups Total: 20 clients	3 with social workers 2 with attorneys Total: 5 observa- tions with staff and clients
Park Heights (Baltimore City)	1 social worker 1 paralegal 3 public defenders: 1 Circuit Court, 2 District Court, and 1 Related Services attorney Total: 6 staff	2 focus groups Total: 4 clients	1 with an attorney Total: 1 observation with staff and clients

Focus groups provided clients and client family members the opportunity to share individual experiences and engage in dialogue with other clients in a versatile format (Hesse-Biber & Leary, 2006), while allowing a larger number of clients to participate (Krueger & Casey, 2000). A focus group guide provided structure, but participants were also encouraged to raise any aspects of their experience and recommendations they believed would aid the evaluation. Meeting times were varied to accommodate participant schedules. Each NDP office recruited focus group participants by sending out a recruitment letter or calling clients referred by public defenders and social workers. Because of logistical and ethical concerns, juvenile and incarcerated clients were not included in any focus group, although juvenile guardians were included. In Montgomery County, translators were available for client observations and focus groups for Spanish-speaking clients.

Data were analyzed and coded for descriptive content (Sandelowski, 2000) and phenomenological analysis was used (Wertz, 2005), which focuses on meanings that participants give to their experiences, was used. Interview and focus group data were similarly coded and reviewed in the aggregate to ascertain key differences and similarities among the different stakeholders. The coded data were then organized according to themes, which included groups of related codes that were identified during data analysis (Miles & Huberman, 1994).

This evaluation has some limitations. Sample size was small because of resource and time limitations. Staff and client participants were chosen by office leadership and based on availability, which may have biased the

sample. At both locations, only a small number of focus group participants reported dissatisfaction with the NDP, possibly because of sampling bias, self-selection, and the exclusion of incarcerated clients. The overall positive assessment, however, did not prevent clients and professionals from providing detailed accounts of what did and did not work for them and suggestions for improvement, which we believe are valuable to the NDP and to other holistic representation efforts.

FINDINGS

Both staff and clients offered positive support for the NDP. Across all job levels, staff members expressed job satisfaction. At both offices the staff respects office leadership, noting the leaders are “true believers,” they listen and are open to “constructive criticism.” Equally, clients voiced praise for the services they received from the NDP. Although staff and clients acknowledge positive aspects of the NDP, including the leadership’s dedication to the program, all participants voiced a desire to strengthen the program through understanding and implementing necessary changes. The main findings discussed below focus on mission and goal development and implementation, roles and integration of interdisciplinary teams, client perspectives, and recommendations for program improvement and sustainability.

NDP Implementation

MISSION AND GOALS

When staff respondents were asked about the NDP mission and goals, all seemed to understand the program’s mission was to assist clients with concerns outside of their legal case in an effort to prevent clients from being rearrested, recharged, or returned to prison. However, staff members had limited knowledge about specific goals that define procedures to achieve this mission. Many had not seen or heard any formal guidelines beyond the mission statement included in the program brochure.

Lack of clarity surrounding program goals may result from the respective office’s leadership being initially focused on establishing the day-to-day operation of each program. Staff members differed on the status of goal planning. Two staff members thought the time was ripe to revisit the goals. The first noted that it had taken some time to get the program running, and the next logical step would be to focus on goals and future planning. Another indicated that although she was aware of initial goals, she thought the NDP was ready to formulate plans toward future progress:

When I first started we ... actually wrote down our goals ... We’re already a year after the fact ... So I think in terms of long term goals ... I think we

need to be realistic about where we were, what we are, and where we're going.

Staff trusted office leadership to further develop program goals, with some offering to assist with the process. Goal development needs to include guidelines and training for key tenets of the NDP, including community involvement and public defender referrals to social workers.

COMMUNITY INVOLVEMENT

Community involvement was a key component of the NDP from the beginning. NDP leadership identified principles crucial to building client and community relationships that would help clients feel comfortable when visiting NDP offices, engage clients in a trusting relationship with staff so they would contact staff with personal and legal updates, and establish community relationships to build trust and educate members about individual rights. Although staff at both locations knew about the community involvement component, few engaged in community outreach due to large caseloads and limited time; all noted it was not mandatory. Public defenders explained they are tasked with being “lawyers first and do criminal work first and if you are interested in doing some other [community] things you can assist in those [community] things.” As one staff member described,

that was the commitment we were making. [The office leadership] didn't define what that [community involvement] would be because a lot of it is going to end up being defined on what specifically can you do in addition to the job that you're doing, which is already a difficult job. That was a reality of it, but it's expected that we do stuff in the community and it should be because that's what the idea of the program is. We're not just building cases; we're building a community or trying to help a community figure out what they need and what they want.

Although staff acknowledges that community engagement is a part of the NDP, a lack of clarity, guidelines, and time allows few to actually participate in community activities.

REFERRAL PROCESS

Social workers and the extra services they provide are key to the NDP holistic approach, but the referral and client education process are not consistent. Clients reported learning about additional services at different times in the course of representation, but clients who learned about and accepted the social work and support staff assistance gave high praise for the referrals, stating they received good, quality services that provided them with the assistance they sought.

Public defenders used great discretion in how and whether to make client referrals to social workers. Many public defenders admitted they had never made a social service referral that was not directly connected to a client's legal case prior to the implementation of the NDP. The majority stated they had wanted to, but they just did not have the time or the knowledge. Although many public defenders in the NDP now do make referrals to social workers and support staff, the attorneys have never received training on how to identify social concerns or make a referral.

I don't think other than ... talking about how we approach [making referrals] ourselves and how other people approach [identifying client needs], I don't think people were trained [how to make a referral] ... sort of the instinct that each attorney has to develop themselves.

Public defenders noted they were not experts in addressing social issues, and so they appreciated the expertise of their social worker team members.

The office has given us an opportunity—so many times in your work you find that clients ask you questions that you really don't know the answer to or you really don't have the expertise or necessarily the time to look it all up and figure it all out, if it's something that they are dealing with. Drug treatment or how do they get their money back after they were arrested or their property.

Most public defenders based referrals on information they gathered during interviews. The unofficial protocol is to listen for perceived red flags during the interview or wait until the end of the interview to ask more direct questions. Some public defenders found it difficult to make referrals because the client's number one priority is the legal case. This especially applies to clients whom the public defender does not believe to be overtly suffering from economic or mental distress.

Public defenders may not know how to prioritize a client's needs or may use the client's needs as a defense strategy. As one social worker describes, public defenders may not be able to prioritize a client's needs when making a referral. Social workers try to help lawyers and clients identify and prioritize areas to focus their assistance.

People always want to give me housing referrals. That's fine. Employment referrals. That's fine. Then I meet the client and the client has been using for 25 years. Housing and employment are not my priority and I think that's how we are more instrumental ... there's no way [the client] is going to get employment and there's no way [the client] is going to get housing ... if he is still actively using.

With limited resources some attorneys feel the need to exercise caution, and prioritize some clients' referrals to a social worker. One public defender

admitted to “triaging” clients based upon who he felt had the most pressing concern in an effort to conserve resources. He will not make a referral if he does not think his client is in a position to take advantage of the resource.

Overall, there was consensus about the NDP’s overarching mission and a commitment to the program. However, there is room for a defined protocol outlining goals, community involvement, referrals, as well as identifying ongoing training opportunities and needs.

Interdisciplinary Teams

Team work is another theme that emerged from the data as a central component of the NDP. The NDP is unique because it creates interdisciplinary teams of social workers, support staff such as paralegals and student interns, and public defenders to work together in a holistic, client-centered approach to public defense. Most clients and staff like the team concept, but personnel views differed about how “team work” can and should be implemented.

CLIENTS

To the majority of clients, being served by a team meant individual staff members worked together for them. Specifically, each team member would do what he or she was trained to do: The public defender works on the legal case, whereas the social worker works on the social concerns.

For us it was like we knew that our lawyer was working on the nuts and bolts of the case, you know what I mean? The real hard stuff. And, my social worker, she was the one that ... held our hand and kind of got us through things—the every day things. So, you know, I mean, both of them was working hard, doing what they do.

Most clients viewed the social worker as the “heart” of the team. As one client described:

The social worker is the key to the entire team. It kind of bridged the team, they’re the heart. They feel what the client is going through and it seems to me that’s actually the key person in the team and, kind of, someone who is loving and caring and has passion ... for everybody else. It sounds like it’s the social worker that’s actually getting the praise. Although the whole team plays a part, that’s the key person.

Social workers were seen as the providers of compassionate understanding that helped them relate to and serve clients, whereas public defenders worked on the legal case. While clients did not outline specific job responsibilities of each team member, they did indicate that if each team member

was not doing his or her job to help them, they would be more likely to be rearrested.

NDP STAFF

Like clients, staff also described the team as a group of people with different roles to fulfill: "it's a task group. So, in a task group you have to understand that different people have different roles in the group and they have to fill those roles." Team members may assist one another, but each member is there to contribute a specific expertise that will benefit the client and team. There is a reason behind the team's composition and membership. Some staff emphasized shared team goals and did not focus as much on differentiated roles. This collaborative nature of the team was echoed by two of the eight attorneys interviewed, who saw the teams as a resource for problem solving so no one is ever working on a case alone.

Public defenders at both locations reported they had previously wanted to assist clients with social issues prior to the NDP but did not have the time, knowledge, or resources. Some public defenders see the team approach as instrumental; that is, the team operates to make the public defender's job easier. The team provides readily available resources. Attorneys can turn to social workers and support staff to help with everything necessary to represent the client during the current legal case and after.

Team means bringing in any resource that I need in order to properly represent a client, and representation not only means in the criminal case, but what happens after. Th[ose] are some of the advantages. Or, suggest to a judge what is the most appropriate sentence for this particular individual. Are we going to give him part of the time to be punished? Part of the time for some rehabilitative programs that are available? How are we going to make this person function?

Teamwork was also cited as helpful in reducing workload and providing support for team members who are dealing with unexpected personal or professional responsibilities. Some described the team as a mentoring program for new public defenders with less experience. Most viewed team work positively, although different views about the goals and professional roles sometimes leads to confusion.

Social workers generally view their current responsibilities in the team as providing extra support outside of the legal case to include report writing, identifying services in lieu of incarceration, development and assistance in implementing re-entry plans, record collection, and community outreach. Social workers have expressed some frustration that public defenders do not regularly use their training or understand how a social worker can fit into the team. Social workers look for ways to integrate into the team by educating

team members about how their expertise could benefit the client and the team.

I have absolutely had to say, "This is my job. You have to let me do it." And I've had to say, "Listen, I think there's something that you haven't considered yet in this case based on what I'm talking to the client about."

One social worker discovered that some public defenders had a soured view of social workers due to negative past experiences both within and outside of the public defender office. This past experience added an additional obstacle in obtaining trust of the team's public defenders. Although public defenders and social workers are integral to the team approach, it is critical to define professional roles so clients receive the best representation and assistance possible.

Roles at the NDP: Defining the Professional Relationships

The NDP teams include public defenders and social workers who often struggle together to provide the best combination to assist clients with their legal and social needs. Some public defenders and social workers were confused by how the social worker involvement might redefine or change goals of representation. Most public defenders did not think their job duties had changed with the program. Other attorney respondents stated the only difference since the inception of the NDP is that they have more support for their work. Social workers, in contrast, have had a harder time adjusting to their roles on the team. One reason is the lack of clarity regarding these new roles. "[T]his isn't a job where there's like clear-cut, this is what you do. It's not like anything else. Like document: 'Well what should I document?' 'Whatever you feel is important.'"

As the social worker quoted above describes, the social work role is more ambiguous both because it is not specifically outlined. There is little formal training or existing models for this kind of social work practice, one of the growing number of jobs where social work and the law intersect that have come under the umbrella of forensic social work (Butters & Vaughan-Eden, 2011). Social workers in such innovative roles have to learn as they go and adapt their training to the practice setting. "This ... is one area that I think ... challenges us to know the law, to know social work. It pushes us beyond what we normally learn in school."

Due to the fact that the presenting criminal case is the primary focus of a client's relationship to the NDP, the involvement of a client with a social worker or related services attorney is discretionary. Most public defenders said they have consulted with social workers about individual cases, but the public defenders use their own discretion in taking or rejecting the social worker's advice. Public defenders may value social workers' opinions;

however, lawyers are bound to follow the wishes of their clients, and thus a public defender would advocate for those desired outcomes over any recommendations from a social worker. The way a public defender presents the information to the client may influence the choice a client makes and how he or she wants the case to proceed; social workers can help lawyers and clients think through broader ramifications of each of these options.

Even as public defenders struggle to integrate social workers and their different professional goals into their work, social workers struggle to define their role on the team. First, many social workers do not believe that public defenders understand how social workers are trained and what they do. Social workers offered many suggestions to assist attorneys and clients, which were met with varied degrees of acceptance. For instance, some social workers preferred to accompany the public defender to the initial client interview, whereas some public defenders preferred to meet with clients alone to distinguish between the attorney and social worker roles and dissuade clients from contacting the social worker about legal issues. Even when social workers are not present during the initial interview, social workers generally see clients more frequently and clients ask them about the legal case.

In addition to providing assistance with interviewing and ongoing contact with clients, social workers noted that they can assist public defenders by following the client from the beginning to the end of the case to take every measure necessary to ensure a client is not rearrested:

And I think often times, I have to be honest with you, I think often times we don't carry the tremendous caseloads that the attorneys carry. So I have a client who's in this case, he's incarcerated now ... He's been here numerous times and the attorneys are like, "I know him so well." Just because you had somebody on seven different charges or seven different cases doesn't mean you know [him]. I've sat with [him] ... And so I think that's how we are able to help them [the clients] by really staying connected to them because the attorneys sometimes have so many cases.

Assisting the public defenders translate and customize a client's case strategy based on what the client wants, is an area that the social workers would like to further develop. The use of each team member's strengths can lead to less work for the public defender and more comprehensive care of the client. Understanding the boundaries and the potential of each professional's expertise and professional responsibility can help reduce work, streamline services, and improve communication.

This requires an even deeper understanding and discussion about the social worker's role in the NDP by all program staff; it also allows for innovation and experimentation to use the professional expertise of the social workers and the attorneys. Social worker respondents were excited about working in such an environment, despite the challenges. They expressed a

desire to extend their training, where possible, through continuing education and dialogue within the office.

Clients' Views of Public Defenders – Before and After the NDP

The majority of clients and family members entered the NDP with negative views of public defenders and the representation they would provide.

Public defenders don't do a great job in getting the law, represent[ing] people in its entirety, especially, you know, cases that are very difficult. And a matter of fact, sometimes they do a lousy job. That's just my personal opinion in general about public defenders.

Despite their initial skepticism, the majority of focus group participants praised the NDP public defenders with whom they worked. For some with prior experience with traditional public defense practice, their experience with the NDP changed their overall opinion about public defenders.

I just felt like the [traditional public defenders] were just accepting the first thing that was offered ... I just felt like the [traditional public defenders] were not fighting for me. And the [NDP public defenders] changed my perspective because they do fight for you.

Family members shared clients' favorable impressions of the NDP public defender's representation:

Due to the nature of the incident we shared in, when it came to public defenders, I just thought that—I just thought we w[ere] going to need a whole lot more [than the services the public defender would provide], but ... the whole team was awesome. The team was very personable, very professional, and they really, you know—I give them tens all the way around.

Only one client out of the 24 who participated in the study expressed continued frustration with the specific attorney assigned to her case. The clients' changed perception of public defenders is a positive consequence of the NDP. Although the NDP might not have set out to improve confidence in the public defender's office, clients and family members reported an improved perception due to the services and representation they received from the NDP.

RECOMMENDATIONS AND PROGRAM UPDATES

Because holistic representation is a relatively new field and is particularly new to the Maryland Office of the Public Defender, the offices would benefit from ongoing strategic planning. This will allow for further clarification of

priorities, uniformity in practices, and ongoing self-assessment. Although the NDP mission is well known to staff, specific goals of the evolving program are less clear. The goals of a particular NDP office should be recorded and reevaluated at least once a year with office leadership to ascertain where the program is strong and what areas need to be strengthened. Since the time of research, the Maryland Office of the Public Defender has undertaken a strategic planning process with a particular emphasis on creating more holistic processes. This planning process will be an opportunity to review the strengths of the NDP practice in an effort to attempt to replicate those successful practices on a larger scale. It will also provide an opportunity for the NDP to commit to specific short-term and longer range goals for the advancement of holistic services to clients.

Increased communication between defense attorneys, related services attorneys, social workers, and general staff is paramount for fulfilling the goals of the NDP model and to clarify goals, expectations, and task division. In addition, all staff should be fully trained regarding the expertise a social worker can bring to the case and what types of tasks he or she can complete for a client on a particular case. This particular training is not something that lawyers or other members of the NDP team received while obtaining their professional credentials. As such, it is important to consciously create a training environment to promote and reinforce these necessary skills.

The NDP offices have maintained an active role with the Community Oriented Defender Network initiated by the Brennan Center (Community-Oriented Defender Network, n.d.). These types of formal and informal relationships can play a crucial role in exchanging valuable experiences in holistic representation, particularly in the integration of forensic social work into the criminal defense team and in the extension of legal services beyond the criminal case itself. Sharing information and experiences will help create more standardized practices, much like the practice of sentencing mitigation developed from an optional beneficial service to a vital component of serious criminal matters such as death penalty cases.

Continuous training and networking amongst similar programs will also help highlight where further contributions are likely to provide benefits to clients and the attorneys representing them. As the practice of holistic representation continues to grow into a more mainstream method of providing indigent criminal defense, it will be beneficial to experience and share what clients consider the most effective and appreciated services. Shared research and anecdotal information can help the NDP to refine the services it will provide with future available resources. Training for staff on specific aspects of holistic representation would also be beneficial. Attorneys need to receive continuous referral training to help them understand what concerns can and should be referred to a social worker and how referrals need to be prioritized. Team training for all members to discuss and clarify roles and responsibilities can help provide more seamless

representation of clients. Training to enhance team dynamics to help manage the attorneys' workloads, streamline services for clients, and improve communication among team members will help the programs continue to offer expanded services to clients despite current staffing shortages. Because forensic social work is a new addition to the field of social work, Continuing Education Units for social workers should be tailored to the unique challenges of the NDP.

The role of forensic social work within the context of holistic criminal defense is evolving. The offices will benefit from further definition of the social workers' roles based upon the skills and expertise they can provide in client representation. Finding mechanisms to increase social worker utilization would further benefit clients and may reduce the need to hire outside mental health experts. Social workers within the NDP are practicing a relatively new and novel approach to forensic social work. There are few guideposts or models for social workers; offices need to provide them with opportunities for advancement and learning. The creation of mentoring relationships or "backup advising" among existing holistic programs with similar missions and orientations may also be useful.

The NDP program would benefit from broadened notification methods to inform clients about available services. Letters may not be a reliable way to inform all clients, because they cannot be tracked to confirm that clients received and read them. Supplemental services should be advertised at every possible opportunity to make sure clients have equal access to services. Using referral forms at each intake meeting or initial interview would help standardize the notification of services available to clients. In addition, increasing attorney–client contact, whether there is news to report on the case or not, would build trust in the attorney–client relationship. It would also let clients who are isolated or whose cases are less active know that he or she has not been forgotten. Increased communication could also provide a platform for increased social work referrals because clients' needs change over the course of a case.

Community outreach is an important aspect of holistic representation. The premise behind the NDP's creation was to assist clients with social issues outside of the initial legal case and to make those services available beyond the duration of the criminal matter. Although clients used additional services, many did not have knowledge of the program prior to seeing a social worker. The NDP should enhance community outreach efforts to educate people about the program's services. This can be accomplished at little cost with satisfied clients who already have a relationship with community members and institutions. Clients, primarily in Park Heights, offered their services for outreach. In addition, staff should continue to engage in community outreach opportunities whenever possible.

The NDP is an example of holistic defense where the goals of representation remain primary and are not compromised by the provision of social or

civil legal services. Although precious resources are allocated to achieve these goals, for the most part both clients and attorneys see the provision of services as valuable and even enhancing their representation. However, it is easy to view these services as “adjunctive” particularly in the face of budgetary constraints. Since the original research was conducted, the current full-time social worker in the Park Heights office in Baltimore City left for another position. State budgetary constraints will not allow for the vacancy to be filled at the time of this writing. Social work services are still available to the staff, but are more limited in nature. There have been a series of part-time social work interns placed within the office. In addition, the staff uses contractual social worker services that are not part of the regular staff of the office. It is difficult to maintain the integrity of the core purpose of this office and the necessary social work services in a case when the services are restricted and communication is more difficult.

Because of the relative youth of the program, it is important to keep funding in place for the programs’ continued development and success, as well as to benefit from lessons learned in the formative stages of the NDP implementation. This includes filling staffing positions that are currently vacant, such as the related services position in Montgomery County and the social worker in Baltimore City. In addition, important new positions such as an immigration attorney and more bilingual attorneys in Montgomery County should be added. Continued support will allow the program to further test the hypothesis that addressing a client’s concerns outside of the legal case will lead to improved client satisfaction and outcomes, which has been supported by this evaluation and by anecdotal client reports that they have found the services helpful. The use of volunteer interns has also helped to curb costs and to minimize incursion upon funds that may cut into legal staff.

Continuous program evaluation will be necessary. Each office should identify measurable indicators that will track the program implementation and outcomes over time. Staff members and clients should be involved in identifying such indicators as different stakeholders may hold different perspectives on what constitutes success; these may include service utilization, recidivism rates, rates of re-offense with lesser or more serious charges, and client contact with their attorney or other NDP staff upon arrest, charge, or for follow-up services. The impact the program has on families, a client’s education, or sobriety should also be considered as indicators.

Because the program is client-centered, the evaluation and direction of the program should reflect client voices. Interviews with clients at various stages in representation can provide valuable information on the quality of the services offered by the NDP. Client feedback on his or her representation can also be obtained through anonymous surveys or use of a comments box. Clients’ needs should be monitored as they may change over time and with changes in the client population.

CONCLUSION

The NDP has completed its initial implementation phase and is now focused on institutionalizing and expanding the program in other geographic areas. Although there are areas for program improvement, the overwhelming majority of social workers and attorneys indicated they are satisfied with the program and felt it better enabled them to meet the needs of their clients and accomplish their jobs.

NDP clients praised the program for assisting with social and economic concerns experienced outside of the legal case that may have led them to reoffend. Client's gratitude was evident during focus groups and many participated specifically to show thanks for the program's services. Clients were overwhelmingly positive in their assessment of the program, indicating satisfaction with their representation, the receipt of services that otherwise would have been inaccessible, and an improved perception of public defenders. Clients' appreciation was not due only to reduced jail time, but for services the social workers and support staff provided while the public defender concentrated on the legal case. In addition, many clients volunteered to assist the program with community outreach in an effort to repay the program for services and compassion that were received.

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