

# WORKLOAD STUDIES



## TAKING THE GUESSWORK OUT OF CASELOADS

Excessive caseloads prevent even the most highly qualified lawyers from delivering effective legal representation. Attorneys saddled with too many cases must jettison core legal tasks—client communication, investigation, legal research—in violation of constitutional and ethical duties.

In its evaluation of the Harris County Public Defender, the Council of State Governments found that “the key to sustaining quality defense work is to ensure that caseloads remain manageable.” Workload standards do just that.



### **TIDC funds indigent defense innovation in Texas counties.**

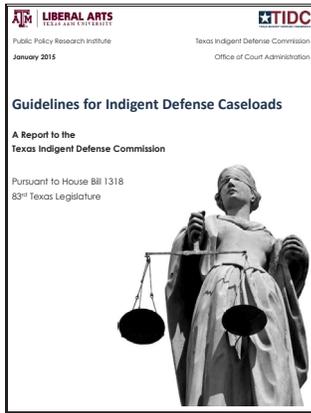
TIDC provides funding for improving indigent defense processes and technology.

Programs that measure and ensure the quality of representation are priority areas for funding.

### **WORKLOAD STUDIES AS A SOLUTION**

Workload studies have risen as a forceful tool in fighting excessive workloads. As Dean Norman Lefstein writes in his seminal book, *Securing Reasonable Caseloads*, “The goal of a weighted caseload study is to determine the amount of time, on average, that defense lawyers need to provide effective and competent representation to their clients.” Workload studies in Missouri, Louisiana, Rhode Island, and Texas have been used to improve indigent defense through education, legislation, and case refusal.

## TEXAS WORKLOAD STUDIES



The State of Texas has completed workload studies in three areas: appeals, juvenile, and felonies and misdemeanors. Using the Delphi Method, Texas A&M's Public Policy Research Institute (PPRI) first tracked attorney time to gain an accurate picture of current practice. Next, PPRI engaged panels of criminal defense experts to determine how much time attorneys should spend on case tasks in a given case type to provide competent and effective representation. Differences between current practice and expert recommendations are compelling.

## TEXAS CASELOAD RECOMMENDATIONS

The Delphi Panel found that attorneys should spend 66% more time on cases at every offense level. PPRI's final report recommends a maximum caseload of 226 misdemeanors or 128 felonies to deliver reasonably effective assistance of counsel.



66%

**MORE TIME** is recommended on cases at every offense level.

Whether they're used for education, legislation, or even case refusal, workload studies are a powerful tool for preventing excessive workloads.

### TIDC INNOVATION SERIES

For more information on workload studies and other innovative practices, go to:

[tidc.texas.gov/innovation](http://tidc.texas.gov/innovation)

//// Or call us—you may qualify for grant funding:

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