



THE CENTER FOR Holistic Defense

A Project of The Bronx Defenders

The 2012 Holistic Defense for Public Defender Offices Technical Assistance Project

Request for Proposals Deadline: Friday March 2, 2012

Overview

The Center for Holistic Defense, a project of The Bronx Defenders, is a resource center for public defender offices, individual advocates, policy makers and others who seek to adopt a more holistic approach to public defense representation. Holistic defense is 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, and related civil, legal representation, social work support and advocacy in the client community. Through a grant from The U.S. Department of Justice Bureau of Justice Assistance, The Center provides in-depth assistance to defender organizations seeking to adopt a more holistic approach to the defense of poor people who have been arrested and criminally charged.

Each year The Center seeks applications from defender offices wishing to receive in-depth technical assistance in developing specific aspects of holistic defense. We encourage applications from offices across the country and endeavor to work with a diverse cross-section of the public defense community, both in terms of size, location and client community served. For example, in 2010 the offices chosen were The Wisconsin State Public Defender, The Knox County (TN) Public Defender Office, and The Washoe County (NV) Public Defender Office. In 2011, the offices chosen were The Committee for Public Counsel Services (the Massachusetts statewide defender agency), The Harris County Public Defender (Houston, Texas), and The Tribal Defender for the Confederated Salish and Kootenai Tribes (Pablo, Montana).

We are pleased to announce that, as a result of generous and continued funding from The Bureau of Justice Assistance, we are able to offer this opportunity once again. As in the past, recipient offices will be provided with eight months of step-by-step guidance and concrete assistance in realizing one or more of the four pillars of holistic defense detailed below. Particular attention will be paid to the practical management questions arising from the transition to holistic defense. Such assistance will likely include trainings and site visits by the staff of The Bronx Defenders as well as recipient visits to The Bronx Defenders.

While recognizing that holistic defense is practiced along a spectrum and that offices seeking technical assistance may only need or desire assistance in certain aspects of holistic defense, The Center will assist recipient offices in evaluating their current practices and in charting a course towards creating an office that fully embodies holistic defense. Successful applicants will be those offices with a demonstrated commitment to the principles of holistic defense as well as the institutional capacity to realize that commitment. Both juvenile and adult defender offices are encouraged to apply. For more information about The Center and the work of The Bronx Defenders, please visit www.bronxdefenders.org and www.holisticdefense.org.

Note: Previous applicants interested in reapplying are not required to submit a new application. By sending an email to The Center requesting reactivation of the previously submitted application, that application will be reconsidered. If the prior proposal requires only minor changes, simply outline those changes in the aforementioned email. Alternatively, prior applicants may submit an entirely new application, which is similarly welcomed.

Holistic Defense, Defined

Holistic defense combines aggressive legal advocacy with a broader recognition that for most poor people arrested and charged with a crime, the criminal case is not the only issue with which they struggle. The key insight of holistic defense is that to be truly effective advocates for clients, defenders must broaden the scope of their representation to address both the collateral consequences of criminal justice involvement as well as the underlying issues that play a part in driving clients into the criminal justice system.

Representing clients holistically leads to better case dispositions, as lawyers with a more comprehensive understanding of their clients are more effective advocates. Moreover, clients who are beginning to address some of the underlying issues in their lives generally fare better either while plea-bargaining or going to trial. Case dispositions are better when clients are aware of the collateral consequences of their criminal case and are thus in a better position to make a truly informed choice about how to proceed. Ultimately, clients who are represented holistically come away from their experience with increased confidence in the criminal justice system. Ultimately, by stabilizing lives, the practice of holistic defense reduces the likelihood of future criminal justice contact.

Realizing the vision of holistic defense means creating public defender offices that have both in-house civil legal practitioners as well as social work staff, all of whom collectively endeavor to address the full range of client needs. To achieve this, defender offices must create a model of representation based on the following Four Pillars of Holistic Defense:

- 1. Seamless access to services that meet clients' legal and social support needs.**

Holistic defense begins with a commitment to addressing clients' most pressing legal and social support needs. Because the universe of these needs will vary from community to community, a holistic defender office must begin by identifying the full range of client needs.

This is accomplished in part by assessing the needs of the client community. Each community an office serves is different, some communities struggle with immigration issues whereas others with family law or housing issues. Far from being a one-size-fits-all approach, holistic defense aims to address those issues most commonly contributing to client involvement in the criminal justice system. Additionally, holistic defense focuses on addressing the negative effects stemming from involvement in the criminal justice system – although oftentimes referred to as “collateral consequences,” their impact is often anything but collateral.

In addition to offering these services, holistic defense requires that as a part of effective representation these services must be provided to the client in a seamless manner. Seamlessness requires that there be no complex intake or eligibility process to be repeated by a client when accessing other services or advocates, thereby relieving a client of the burden of retelling their story while enduring yet another exhausting, oftentimes complicated intake process. For a holistic defender, helping a client to access immigration representation, time with a social worker, or assistance with a public assistance application should be as easy as walking over to another advocate. If there is administrative complexity, it is borne by the holistic defender, not by the client in need of help.

2. Dynamic, interdisciplinary communication.

The holistic defense client will likely have several advocates: a team of criminal defense and civil lawyers, as well as social workers or other social service advocates. What is fundamental to the practice of holistic defense is not just that there is an interdisciplinary team, but that the team’s culture is one of open, frequent, and meaningful communication. Communication in holistic defense is characterized less by hierarchy and referrals and more by a dynamic and interdisciplinary exchange of ideas and information. Holistic defenders are well-informed not just about their clients’ criminal cases but also about their clients’ progress in their work with their other advocates.

Regardless of whether the issue being handled is motion practice in a drug sale case, assistance with a public housing application, or getting treatment for a long-term drug problem, the advocates are always well-informed as to all the other moving parts of a client’s relationship with the office. Just as importantly, each of those advocates – the social worker and the civil legal advocate – are in independent communication with each other, and not just communicating through the criminal defense lawyer. The result is a team of people all of whom are well-informed about a client’s needs and progress. The client, in turn, sees himself as being represented by a team of dedicated advocates who are in communication with each other, rather than by a single advocate who grasps only part of the big picture that is the client’s life.

3. Advocates with an interdisciplinary skill set.

The bedrock of a holistic defender office is a passionate staff committed to providing the highest-quality representation. Beyond the zealous advocacy of the committed public defender, a holistic defender must be willing to develop and enhance a client-centered and interdisciplinary skill set. While perhaps a first step, this entails more than criminal defense lawyers merely learning what social workers do. Rather, holistic defense encourages criminal defense lawyers to represent their clients in ways that actually support the social work needs of their clients and, in turn, encourages the social workers to work with their clients in ways that support positive legal outcomes for their clients. For example, lawyers should learn how to identify mental illness and social workers should be trained how to identify potential immigration issues. In this way, each member of the staff of a holistic defender office ends up with a skill set fundamentally different and better-rounded than that of their colleagues in more traditional settings.

4. A robust understanding of, and connection to, the community served.

At its core, holistic defense entails cultivating a robust understanding of, and connection to, the community served. This practice derives from the realization that the advocate who is better able to relate to her client because she has spent time in his neighborhood and with members of his community will be more likely to provide authentic and effective representation. The lawyer who can leverage this community understanding will be more likely to achieve better legal outcomes. Similarly, the advocate who can speak from experience to a judge in a civil matter or to a counselor or administrator of a social service agency about the client's neighborhood or school will be a more persuasive and effective advocate. On a broader level, community engagement helps the holistic defender office to earn the respect and trust of the community which, among its many benefits, helps build a community-based network of support services for clients, their families, and neighborhoods. Furthermore, enhanced community engagement sheds light on client needs, which guide decisions about how best to allocate resources.

What Sort of Assistance Is Being Offered?

Successful applicants will receive eight months of intensive, hands-on assistance focusing on those particular aspects of holistic defense identified by the recipient office. Integrating holistic defense into any public defender office is a transformative process and one that often happens incrementally. As such, we expect applicant offices to focus their request for assistance either on a discrete area or on those areas needing the most support and with the greatest potential for change.

Regardless of the focus area identified, The Center will work with each of the offices chosen to create a long-term plan to further develop all aspects of holistic defense well after the technical assistance has formally ended. Our technical assistance work with each office will vary. For some, our assistance will represent the beginning of a much longer process of transitioning to a more holistic approach. For others, our assistance will be simply another step in a process that is already well underway. But in all cases, The Center will leverage the experience of The Bronx Defenders and the other offices with which it

has worked over the years to tailor a plan and set of recommendations for next steps beyond the six-month technical assistance relationship.

While the exact type of assistance each office will receive will depend on the precise nature of the request made, examples of the sorts of assistance being contemplated include:

- A comprehensive evaluation of the current office structure and assessment of existing holistic practices, including site visits by members of The Bronx Defenders;
- Site visits to The Bronx Defenders;
- Strategy sessions with office heads or senior management to identify realistic goals to be accomplished during the course of the assistance;
- Assistance in assessing client needs;
- A community resource mapping exercise to determine existing resources in the community;
- Assistance in identifying new practice areas based on needs assessment;
- Provision of training in these substantive practice areas;
- Training for staff in cross-disciplinary communication;
- Creation of a team-structured office;
- Introduction of an interdisciplinary model of case conferencing;
- Developing strategies for connecting with and beginning to understand the community served by the office;
- Assistance in developing funding strategies for sustaining a holistic practice;
- Development of performance measures.

The Selection Process

Applications will be evaluated by peer reviewers based on the following criteria:

- Clarity and specificity of proposal narrative;
- Demonstrated commitment to and/or support for the principles of holistic defense;
- Capacity to make lasting and sustainable changes to the way the office represents its clients.

Our aim is to select offices that represent a diverse cross-section of the public defense community in terms of size, geographical location, and funding structure.

Proposal Cover Letter

The application cover letter form (Attachment A) includes contact information as well as basic information about an applicant office. Please complete this form and return it with the completed application.

Proposal Narrative

Please structure your proposal according to the sections and questions below, in the order presented.

I. Introduction: Please briefly describe your office and the population it serves. What has driven your office to take steps toward integrating holistic defense into your practice? If you have already begun to adopt a more holistic practice, please describe those efforts as well as whether or not you feel they have been successful and if not, why not.

II. Technical Assistance Proposal: Please describe as precisely as possible the assistance you seek. How would a partnership with The Center be most helpful in furthering your Holistic Defense goals? How *specifically* could The Center assist your office in becoming more holistic? Your proposal should refer to one or more of the pillars of holistic defense on which you would like the assistance to focus.

III. Organizational Capacity: What capacity or assets are already in place to support this work?

- a) Please describe the level of support within your office for holistic defense. What support does holistic defense enjoy at the management level? At the staff level? From your funders? From your clients? From the court system? From other constituents?
- b) What resources have you dedicated or do you plan to dedicate towards adopting holistic defense?
- c) How does your staff already address the interdisciplinary legal and social support needs of your clients?
- d) How do you facilitate dynamic communication about clients among advocates from different disciplines in your office?
- e) How do you currently foster the development of interdisciplinary skills among your staff of lawyers, social workers, and other advocates?
- f) How do you currently engage with the community you serve outside the courtroom?

IV. Evaluation: State as specifically as possible what you hope to accomplish during the technical assistance period. Describe how you propose to measure your progress towards achieving these goals.

Once again, the focus of your request for technical assistance should be on what is achievable within a six to eight-month period of time. We recognize that organizations do not fundamentally transform within eight short months, and nor will any public defender office become a holistic defender within that span of time. However, proposers should conceptualize this period of time as a significant step toward beginning or continuing an ongoing commitment to holistic defense. In the broadest terms, we expect that awardees will more closely embody the principles of holistic defense at the end of the grant period, not that they will “be holistic” by the end.

Instructions for Submitting Proposals

Please send completed proposals to:

Alex Sierck, Project Director
The Center for Holistic Defense
The Bronx Defenders
860 Courtlandt Avenue
Bronx, NY 10451
alexs@bronxdefenders.org

Subject: Technical Assistance RFP

Applications are strongly encouraged in electronic format, but paper applications will also be accepted. For questions about this application, please contact Alex Sierck at alexs@bronxdefenders.org or (718) 838-7857 or (800) 597-7980.

Applications must be received no later than 5:00 p.m. EST on Friday, March 2, 2012.

Attachment A

Proposal Cover Letter The Center for Holistic Defense 2012 Holistic Defense for Public Defender Offices Technical Assistance Project

Contact Information

Name of office:

Address of office:

Name of lead contact person, including title:

Phone number:

Fax:

E-mail address of lead contact person:

Office Profile

Size of staff:

Number of staff per job title (i.e. number of investigators, etc):

Average caseload per attorney (felony and misdemeanor) for both supervisors and staff attorneys:

Experience level of legal staff:

Legal staff with 0-3 years of experience:

Legal staff with 3-6 years of experience:

Legal staff with 6-10 years of experience:

Legal staff with 10-15 years of experience:

Legal staff with 15-20 years of experience:

Legal staff with over 20 years of experience:

Size of annual budget:

Total number of cases handled by your office during the last calendar year: