

# Idaho's Principles of an Indigent Defense Delivery System

## Idaho Code §19-850(a)(vii)

- 1. The delivery of indigent defense services is independent**

The delivery of indigent defense services should be independent of political and judicial influence, though the judiciary is encouraged to contribute information and advice concerning the delivery of indigent defense services.
- 2. Attorneys have confidential space to meet with client**

Defending attorneys should have sufficient time and private physical space so that attorney-client confidentiality is safeguarded during meetings with clients.
- 3. Workload controls are in place**

Defending attorneys' workloads should permit effective representation.
- 4. Funding of public defense is independent**

Economic disincentives or incentives that impair defending attorneys' ability to provide effective representation should be avoided.
- 5. Ability, training and experience match case complexity**

Defending attorneys' abilities, training and experience should match the nature and complexity of the cases in which they provide services including, but not limited to, cases involving complex felonies, juveniles and child protection.
- 6. Offices provide vertical representation**

The defending attorney assigned to a particular case should, to the extent reasonably practicable, continuously oversee the representation of that case and personally appear at every substantive court hearing
- 7. Resource parity between defense and prosecution**

There should be reasonable equity between defending attorneys and prosecuting attorneys with respect to resources, staff and facilities.
- 8. Continuing legal education**

Defending attorneys should obtain continuing legal education relevant to their indigent defense cases.
- 9. Quality assurance through routine review**

Defending attorneys should be regularly reviewed and supervised for compliance with indigent defense standards and, if applicable, compliance with indigent defense standards as set forth in contractual provisions.
- 10. Representation free from conflicts**

Defending attorneys should identify and resolve conflicts of interest in conformance with the Idaho rules of professional conduct and other applicable constitutional standards.