

PROGRESS REPORT ON RECOMMENDATIONS

To the County of Riverside

RIVERSIDE COUNTY PUBLIC DEFENDER OFFICE

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Progress Report on Recommendations for the Riverside County Public Defender Office

This is a progress report on implementation by the Riverside County Public Defender Office (RPDO) and Riverside County (County) of NLADA's Evaluation Report recommendations (ERRs) submitted in January of 2000. This report reflects the findings of an NLADA team with respect to activities, corrective actions and achievements by the RPDO and the County in the sixteen months since the Evaluation Report was submitted. It is current as of May 1, 2001.

In brief summary of this progress report, NLADA commends the RPDO and the County for significant progress on most of the ERRs. We find this noteworthy given the immense challenges described in the Evaluation Report and the brief period of time that has elapsed since it was submitted. This is especially so, given that many tumultuous and difficult personnel issues have occupied the RPDO's current management during the first few months of their tenure. Not surprisingly, since change of the magnitude recommended in the ERRs takes time, the team did find that a few recommendations have yet to be addressed. In a very few instances, the team had pause for concern, for example in respect to lack of counsel at misdemeanor arraignments and the partial implementation of the ERRs related to conservatorships. NLADA cautions that in most instances it is too early in the process of addressing the ERRs to judge the long-range impact or effectiveness of the actions taken by the RPDO or the County. In some instances, there simply has been insufficient time or resources to take corrective action. The good faith and substantive efforts that have already been made must continue until all of the ERRs have been addressed and the underlying problems resolved. In respect to a few of the ERRs, we are submitting supplemental recommendations. These appear in bold text.

A team of four experienced Public Defender managers from across the country conducted the follow-up evaluation. The team was led by David Meyer a consultant specializing in quality and continuous improvement technique and formerly Chief Deputy Public Defender and Acting Public Defender of Los Angeles County, the nation's largest Public Defender Program. Rita Fry is Chief Public Defender of Cook County Illinois, the second largest Public Defender program in the county. Mr. Meyer and Ms. Fry were members of the NLADA team that evaluated the RPDO in 1999. Michael Skibbie is chief Public Defender of the State of New Hampshire, a statewide Public Defender program. Jo-Ann Wallace is Chief Counsel of NLADA's Division of Defender Legal Services and the former Director of the Public Defender Service of Washington DC, widely regarded as a model office.

Work on this follow-up evaluation began in February of 2001. The team developed a follow-up evaluation protocol that was based on the 1999 Evaluation Report and the ERRs. All of the teams' work was limited to this protocol. No effort was made to treat matters outside of the protocol or the original Evaluation Report. To leverage the on site work, the team requested that both the RPDO and the Chief Executive Office (CEO)

submit self-evaluations of their progress against the ERRs. Both offices provided materials that were evaluated and discussed by the team in conferences calls. An on site visit was made by the team on April 23, 24 and 25, 2001. The two-fold purpose of this visit was to test or validate the self-evaluation materials and to develop evidence on subjects not adequately addressed by the self-evaluations. Interviews were conducted in the cities of Riverside, Hemet and Banning. Interviews were not conducted to test or validate ERRs for which the team had adequate evidence in advance of the visit. A second iteration was given of the staff survey that had been used in 1999. The responses were used to judge staff attitudes and perceptions within the RPDO and to judge the breadth of implementation of some of the ERRs.

To assist the reader, we are providing italicized summaries of the recommendations contained in NLADA's Evaluation Report submitted in January of 2000.

I. ORGANIZATION OF PUBLIC DEFENDER OFFICE

The Chief Public Defender should issue a clear statement of the mission of the office, and its goals and objectives. The goals of the office should embrace the most fundamental notions of quality service to clients, as well as effective, efficient and equitable administration within the office, and respectful and professional relations with other entities of the criminal justice system and the community. Any goal of obstructing or delaying the adjudication of cases should be expressly eschewed. This statement of the goals and mission of the office should also reference nationally recognized standards for the delivery of legal defense services to the indigent accused, and performance standards of the highest caliber for both capital and non-capital cases.

RPDO management has developed and issued written mission, vision, and management philosophy statements. These are supported by a detailed policy manual containing 33 written policies covering topics related to administration, personnel, legal representation, investigations and fiscal issues. Policy number 301 addresses "Quality Representation." It covers fundamental aspects of the attorney-client relationship and activities associated with effective representation. Separate written policies address interaction with clients and families, conflicts of interest, client interviews, negotiation and settlement, assessment of mental issues, case investigations, clients who do not speak English, arraignment and bail review, discovery, lineups, preliminary hearings and pretrial motions. A specific policy was issued on motions for continuances in cases not resolved within four months. Such "1050" motions must be reviewed by a supervisor to assure that timely resolution of the case is not hindered. The RDPO's written policies contain citations to relevant state and federal cases and, in some instances, standards of professional conduct. The policies adequately and appropriately address many of the concerns noted in the Evaluation Report. However, some areas of practice have not been specifically addressed, most critically representation in capital cases.

The team believes that further progress could be made by wholly or selectively adopting NLADA's *Performance Guidelines for Criminal Defense Representation and Guidelines for the Appointment and Performance of Counsel in Death Penalty Cases, or some other*

equivalent. The NLADA guidelines were developed by committees of nationally recognized experts on the subjects, including representation from California. They are specific in respect to standards of performance and actions for public defense attorneys and have been adopted in whole or part by many public defender programs across the country, as well as by legislative enactment and by rules adopted by state supreme courts. Both sets of guidelines were recently published by the U.S. Department of Justice in a national compilation of indigent defense standards (*Compendium of Standards for Indigent Defense Systems: A Resource Guide for Practitioners and Policymakers*, December 2000; available on-line at <http://www.ojp.usdoj.gov/indigentdefense/compendium/>, or in searchable CD-ROM or hard copy from NLADA). **The RPDO should assess the NLADA Performance Guidelines for Criminal Defense Representation and the NLADA Guidelines for the Appointment and Performance of Counsel in Death Penalty Cases and adopt guidelines as appropriate to local practice.**

The RPDO should continue its efforts to reinforce and develop support for its statements of vision, mission values and philosophy, which were finalized and issued to staff roughly one year ago. The second staff survey indicates that the RPDO mission is clear to most staff who responded. Nevertheless, given the depth of problems described in the Evaluation Report and the difficult personnel issues addressed by the current RPDO management during the past fourteen months continual efforts to emphasize these statements will assist in building support for them and imbedding them in the core of the RPDO's operations. **The RPDO should utilize staff meetings or other communication opportunities to underscore and reinforce support for the RPDO's statements of vision, mission values and philosophy.** Such devices as its newsletter, dedicated training sessions and broadcasts on the RPDO's IS system are some potential additional mechanisms for achieving this goal. The establishment of a "Golden Spike" award program that recognizes performance excellence is a very positive step. The RPDO might consider incorporating the RPDO's statements of vision, mission, values and philosophy into the award presentations.

The RPDO developed and issued its written Policies and Procedures over time beginning in May of 2000. It issued most of its policies related to legal representation in March and April of 2001. Deployment of them may be incomplete in that many staff members and some supervisors are unaware of their detail and requirements. **RPDO management should continue its efforts in to ensure that all supervisors are aware of the written Policies and Procedures and that, in turn, the supervisors take steps to make staff aware of and enforce them.**

The PD should prepare both short range and long range plans for the office. The long-range plan should cover the next five years. Planning should include examination of prior caseload statistics to determine crime and caseload trends to assist in predicting staffing needs. It should include developing and implementing a formula, in collaboration with the judiciary, the District Attorney and the Sheriff, to gauge the proportionate increases in staffing and resources required for each agency when events occur which

will lead to predictable workload increases for the agencies, such as the establishment of additional judgeships, significant law enforcement staffing increases, or significant changes in crime rates.

The RPDO has developed fundamental concepts that support long and short-term plans. The essence of these concepts is expressed in the RPDO's presentation to the Riverside Board of Supervisors in support of its 2000-2001 budget. We were provided copies of the materials used by the RPDO during this presentation. They identify arraignment representation, general organizational and staff development as priorities over the short to medium term. We also reviewed copies of the RPDO's budget request and the CEO's budget submission for the RPDO that reflect budgetary strategies. The RPDO has adopted the NLADA Evaluation Recommendations as the short-term goals of the office and published them separately under its letterhead. We were informed that the RPDO has adopted the ERRs as a goals template. However, to date, the RPDO has not developed or published its own long-term plans. The RPDO is aware of the need to develop a long-term plan supported by data requirements and measures to assist in predicting staffing needs. The team was informed while on site that a strategic plan for the office was in process.

The PD should maintain an "open door" policy for staff and other mechanisms to receive staff input and feedback.

This ERR was directed at supporting high levels of communication between the Public Defender and his staff. Most of the other ERRs suggested fundamental and massive changes in operations and management of the RPDO. This imports a significant change in organizational "culture" and interpersonal relations. Accomplishing this magnitude of change is difficult and requires clear communication by an organization's leaders.

The Public Defender has quite literally implemented this ERR by keeping the door to his office open during most of the business day. The exceptions to this relate to personnel actions and other highly sensitive activities. We were informed that the Public Defender welcomes staff into his office when not otherwise engaged. The team observed the Public Defender from the hallway outside his office working and meeting with others in throughout the business day. To his credit, while new to the job, the Public Defender met with each staff member.

The Assistant Public Defenders (APD) work with "open doors," as well. The team was informed that they are also freely available to staff. The APDs make a practice of engaging staff members in the latter's officers. Such management outreach is a positive development.

Meetings between managers and staff have been implemented. Such meetings occur regularly at the Division level. The Public Defender attends these on a rotating basis and he requires that agendas of the meetings be produced to assure that they occur and that he and senior management are aware of their substance. Staff interviews validated the Public Defender has attended staff meetings in many area offices. The ability to express

dissatisfaction and engage in a dialogue with the Public Defender was seen as having had a positive effect on morale. All of these steps are positive and support the level of communication necessary to address the changes recommended by the ERRs. Staff and managers in Riverside both reported feeling free to go to the Public Defenders office to speak with him. Support staff, especially in Riverside, are quite satisfied with the availability and responsiveness of the Public Defender and his senior staff.

There are opportunities to increase the level of communication by the Public Defender and thereby the level of support for change, particularly in the outlying areas, which pose challenges to communication. **We recommend that the Public Defender and the APDs increase the frequency of interaction with staff members outside of Riverside.** Personal contact should significantly enhance the level of communications. Something as simple as “brown bag” lunches with staff members at their offices will support this.

While always important, communication becomes even more so during times of significant change. The RPDO is undergoing substantial change, including a significant staff turnover, some of which may have been the product of disciplinary actions. While individual cases of discipline cannot not be discussed with staff members, intensive efforts to communicate to staff in all locations the goals, aspirations and strategies of the RPDO management can assist in enhancing trust and easing the anxiety that accompanies such change.

The organization of the Public Defender Office should be reconfigured to allow for three Assistant Public Defenders and eight Grade V supervisors (i.e., Supervising Deputy Public Defenders), four in the West (one each in Perris, Hemet, Corona, and Banning) so that each office is headed by a Grade V public defender; two in the East (for Indio and Blythe), and two in Riverside. Their job descriptions and responsibilities should be clearly delineated. One Grade V supervisor position in Riverside should be a full-time training director.

The RPDO now has three Assistant Public Defenders, fully implementing this ERR. Each answers directly to the Public Defender. The position of Chief Deputy has been eliminated. Nine Supervising Attorney positions have been established. The RPDO is working to fill three vacancies: one vacancy is due to a retirement and one vacancy is due to internal promotions that occurred just before the April site visit. The third position was created as a result of a reclassification of the Chief Trial Deputy position. The Supervising Attorney positions have been allocated as follows. One to Riverside Misdemeanors, two to Riverside Felonies, one to Riverside Preliminary Hearings, one to Riverside Juvenile, one to Indio Felonies and Preliminary Hearings, one to Indio Misdemeanors and Juvenile, One to Banning, Perris and Hemet. The Indio Misdemeanor/Juvenile Supervisor also covers the Blythe office. While this spread of supervision does not precisely meet the ERR, it meets the RPDO's need in the judgment of the Public Defender and is a significant advance that the team views as implementing the ERR. A full time training supervisor position was established in April 2000.

The RPDO relies on the County's job specification, produce by the Human Resources Department, to describe the duties of the Supervising Attorneys. These are not optimal for the purposes of the ERR. A better approach for performance purposes is for each Supervising Attorney position at each location to be supported by specific descriptions of the position's responsibilities and the performance expectations for the incumbents. General descriptions that exist for hiring or Human Resources purposes are inadequate for this purpose. **We recommend the RPDO specifically define the job duties and position requirements for the positions of each Supervisor.** As noted below, the RPDO has produced and implemented a performance review program for Supervising Attorneys. The form used for that purpose might be, in part, translatable for purposes of the job descriptions recommended by this ERR.

The Executive Senior Staff should meet at least once a month to exchange information, be informed of policy directives and be involved in policy setting.

Formal meetings of the Public Defender, Assistant Public Defenders, Supervising Attorneys, the Administrative Manager, Law Office Supervisors, Chief Investigator and Supervising Investigators occur monthly. While on site, the team observed the Assistant Public Defenders and the Chief Investigator in conference with the Public Defender on a regular basis.

It should be a clear principle underlying the criminal justice system of Riverside County that the office of the Public Defender must be at parity with the District Attorney. This includes staffing patterns, workload, supervisory ratios, support staff, equipment, facilities, salaries and other budgetary issues, and representation on criminal justice councils and other bodies which set criminal justice policy in the county.

The salaries of the Public Defender and his senior managers are not at parity with those of the District Attorney and his senior managers. Attorney salaries are determined through the collective bargaining process. Separate collective bargaining representatives negotiate for the District Attorney and RPDO attorneys with the result that salary levels are separately determined in the respective contracts. Therefore salary disparities continue to exist at all levels. The team recommends that as negotiations take place, the County remain cognizant of this ERR. The RPDO has embraced this ERR and is working toward salary parity. However, as indicated in the statements above, this ERR is one of many that is not within the sole control of the RPDO.

Although salary parity has not been achieved there has been significant improvement in other resource areas. Most noteworthy, physical facilities have improved, with additional space, new furniture, and a training facility. Attorney and support staff was increased during the 2000-2001 budget. Our interviews confirmed policy-level support in the County of the idea for general parity between the District Attorney and Public Defender.

As suggested by the Evaluation Report, disparities in pay and resources between Public Defender offices and their prosecutorial counterparts is a significant impediment to their effectiveness. The disparity was mentioned frequently in interviews. Several responders

to the staff survey noted the negative impact of a lack of pay parity. One experienced attorney said “ it’s demoralizing to be paid less than the county prosecutors and Public Defenders statewide.” For the reasons stated in the Evaluation Report, the concept of parity would well serve the County and its criminal justice system.

The District Attorney is under the impression that the County sets staffing levels of the RPDO and his office at a ratio of .65 or 70:1. The team does not have sufficient data to validate this ratio. We note, however, that current staffing does not achieve that relationship. The issue merits further study, however. **We recommend that the County and the RPDO, in cooperation with the District Attorney and the courts, undertake a study to determine an appropriate ratio of staffing, budget and resources between the District Attorney and Public Defender.** The results could then be used by the County in future determinations of the Public Defender’s budget.

II. TRAINING

The RPDO should establish a formal training program for all employees, including upper and mid-level managers. It should develop a litigation manual covering all aspects of handling a case. It should pay reasonable costs of staff attending appropriate training programs out of the office, including travel and hotel expenses and registration fees for state and national training programs. It should seek training grants from both state and federal sources. Lawyers should have access to brief and motions banks and to summaries of recent cases.

The RPDO has taken initial steps to address the paucity of training opportunities noted in the Evaluation Report. The appointment of a full-time training coordinator who has no other responsibilities is a positive step. Staff feedback has been received in meetings and individual encounters with respect to training content. Initial training efforts have been segmented by job function. Some efforts have been made to provide relevant in-house training, most notably in the use of computers and computer applications. This is an area in which the RPDO management feels there is immediate need. Enhancements to investigator training are noted below in the context of the ERR related to investigation.

The RPDO has supported outside training by reimbursing registration costs. However, neither travel nor accommodations are reimbursed. Supervisors have been provided training by vendors of generic management training. While valuable, this training is not specific to Public Defender offices or the County of Riverside. NLADA provides management training specific to Public Defender offices at its annual Conference and at periodic Defender Leadership and Management training. The California Public Defender Association (CPDA) offers limited management training in the form of seminars at its annual Conference. **We recommend that the RPDO managers and potential managers participate in such training.**

A recent space acquisition has included an area once used as a courtroom—bench, bar, jury box and all. This space will be used as a mock courtroom for training purposes and training curricula will be developed to leverage its use. This is a very promising means of

supporting courtroom advocacy training. In the same building, the RPDO has set aside space for a dedicated computer training center. The RPDO is commended for maintaining this space as a training facility rather than converting it to address its other pressing space problems.

Staff members to whom we spoke saw training as an organizational priority and wanted more access to both internal and external training opportunities. Managers and staff cited under-funding of the office training budget, the inability to get compensatory time when attending sessions, the lack of full cost reimbursements and having workloads that did not permit taking the time to attend training sessions as some of the barriers to training. One attorney said, "Our office is severely under funded. Because of this, training opportunities are missed due to cost." Another said, "I would like to take advantage of more CPDA seminars, but am unable to due to cost, distance and time."

While important initial steps have been taken regarding training, much remains to be done. The RPDO immediately needs to undertake a major effort in respect to training at all levels and for all functions. An immediate effort in this respect would not only enhance the professional skills of existing staff and the many new hires, it is a clear opportunity to enhance support for the RPDO's mission, vision, and management philosophy. **We recommend that training be a made priority during the upcoming year.** We especially reiterate the need to do a formal assessment of training needs at all levels. Such an assessment should be supported by a written survey that is "professionally" designed. While we respect the subject matter expertise of the RPDO management and its Training Coordinator, such surveys are best done by or in conjunction with training experts. The RPDO may wish to take advantage of expertise within the County of Riverside Department of Human Resources. The RPDO may wish to consider outsourcing all or a portion of this survey to training specialists or taking advantage of the nation wide expertise in Public Defender training found in the NLADA Training Section.

Both the training needs assessment and future training must be equally available to all parts of the office. A concerted effort must be made to include staff members in all offices outside of Riverside. The full implementation of the office's IS system will support this. In the interim, however, the RPDO must take whatever steps are necessary to assure that all staff members have an opportunity to respond to the training needs assessment and to participate in all training.

In addition to training needs assessment surveys, assessments of individual training needs should be incorporated as a routine aspect of the RPDO's performance appraisal process.

We recommend that the RPDO consider incentives to staff members to engage in training. Such incentives might be related to advancement in the office. The consideration currently being given to performance management and merit promotion may be an opportunity in this respect. An incentive might be as simple as an award for providing or receiving certain levels of training. While negative incentives are always problematic, the team notes that currently there is no disincentive for not engaging in

training. At least consideration should be given to minimum levels of training being a prerequisite to satisfactory performance ratings.

The RPDO has taken advantage of limited scholarship opportunities provided by CPDA and one national program. Despite efforts, it has been unable to develop other grant-funded training. We recognize that funding opportunities at the state level may be truncated by the state's budget problems. However, the allocation of state and county funding for public defender training does assume a higher priority in light of two developments at the national level: the apparent curtailment of long-standing Bureau of federal Justice Assistance support for defender training, and the establishment by Congress of a \$26 million national college providing free training, travel and room/board for local prosecutors from anywhere in the nation. We encourage the RPDO to explore private sources of funding as well.

As set forth in more detail below, the RPDO is developing a much enhanced IS system that will support both management and staff functions. Commendably, plans include an intranet capacity that will include motions and brief banks, form documents, policy manuals, training materials and electronic distribution of its current newsletter. The RPDO has current access to CPDA's Claranet system that supports many of the functions listed in this ERR.

III. SUPERVISION AND EVALUATION

Supervisors should be full time and not carry caseloads. There should be no less than one supervisor for every ten lawyers. Supervisors should conduct comprehensive evaluations on a regular basis for all staff. For attorney staff, supervisors should review cases with them in advance, observe them in court and on trial, and solicit feedback from the judiciary. Performance standards based on guidelines such as NLADA's Performance Guidelines For Criminal Defense Representation should be developed along with behaviorally-based measures that enhance reliability between raters.

Automatic promotions should be replaced with a merit promotion system based upon predetermined standards. High achievement reflected in the performance evaluation system should be rewarded. A meaningful performance management system should be established by which the PDO can judge its progress and plan its future. Such a system should include development of meaningful statistical measures including process and results indicators.

With the establishment of nine Supervising Attorneys, and discounting one that is dedicated to training, the RPDO and the County have achieved the staffing ratio recommended in the Evaluation Report. Also as recommended, supervisors are not carrying caseloads, except as a vehicle to train or mentor attorneys. These efforts are commended. We note that in two areas, supervisors must cover more than one location. In addition to maintaining an appropriate span of authority, supervisory assignments must account for the time, travel and logistical problems. Supervision of multiple offices may mean reduced opportunities to consult with and observe attorneys. To the extent this represents an impediment to effective supervision, the RPDO should consider alternative

approaches. One approach is to assign supervisory responsibility to local senior lawyers and reducing their caseload in proportion to the number of lawyers they supervise. As noted below, this may be an effective approach to supervision in the Civil Division.

Annual performance evaluations were an existing requirement at the time of the RPDO evaluation. However, execution was problematic so that, as we stated in the Evaluation Report, the office "...is without a meaningful performance evaluation system...." This issue has been addressed and performance reviews are generally prepared on an annual basis. Standards, however, are an important part of any performance evaluation system. The RPDO reports it is working to standardize performance factors consistent with the *NLADA Performance Guidelines for Criminal Defense Representation* and to incorporate the *Guidelines* into its evaluation processes. The RPDO's written mission, vision, and management philosophy statements should also be reflected in the performance plan as appropriate. **We recommend that the RPDO management make progress towards finalizing a performance planning and evaluation system that relies upon developed standards and supports its policies and procedures and its statements of vision, mission values and philosophy.**

At the time of the evaluation, performance evaluation was strongest in the Investigation Division. Commendably, improvements have been made there, as well, with investigator evaluations now including field observations.

A dedicated supervisor performance evaluation system has been established. The initial step was to produce a form that has 22 areas of focus with brief descriptions of behaviorally based performance criteria. Ratings are given in each area on a five-point Likert scale consisting of "outstanding performance," "exceeds expectations," "meets expectations," "improvement desired," and "unsatisfactory performance." The form has separate areas for setting and review of specific objectives and employee comment. This is a strong and significant first step. Initiating the personnel performance management system with supervisors carries an important message to the entire RPDO. The following suggestions are offered as the RPDO continues its work on improving and finalizing its supervision performance reviews:

- Reduce the number of areas of focus, combining as many related areas as possible. This will make use of the form simpler and encourage conciseness and brevity. For example, People Management might be combined with People Development and Managing Performance.
- Allow the rating scale above unsatisfactory to approximate levels of maximum performance, defining precisely what that level of performance entails. This would reduce the resistance that most professionals express to "report card" approaches to performance rating.
- Separately describe behavioral criteria at length. This makes use of the form less cumbersome and easier to use during conferences.

The team was informed that the RPDO is working with an individual with academic qualifications to assist in developing approaches to evaluating attorney trial performance.

The RPDO would also benefit by assessing the systems used for this purpose by other public defender offices across the country. NLADA can assist the RPDO is doing this. The team was also informed that the office is working towards a system of performance planning for attorneys. This is an important element of a modern staff performance management system. We encourage the RPDO to document and publish materials related to its system. **The RPDO should include development and implementation of its performance management systems in its written strategic plan.** This will benefit the staff, and support completion of the project.

While on site, the team was given a brief demonstration of an off-the-shelf application that quickly aggregated a credible looking evaluation report. The RPDO is to be commended for exploring this use of technology to improve efficiency. One note of caution, however is that effective evaluations must be linked to very specific behavior (performance) expectations, so “off-the shelf” applications likely will require some modifications. The RPDO should focus on developing meaningful performance standards in each area and ensure they are incorporated into the performance planning process, automated or otherwise.

The RPDO has issued guidelines for promotion of attorneys. The guidelines are merit driven, behaviorally based and are consistent with the ERR. The RPDO would benefit from reinforcing support for these guidelines through additional discussions with staff, or if necessary through training. The RPDO could support its performance management system by tying the promotional guidelines to its performance evaluation system.

The RPDO has not yet established a performance management system for the organization as a whole. This would support the execution of the office’s strategic plan with specific objectives and serve the yearly need to present data in support of the RPDO budget. This kind of organizational performance management system is best supported by outcomes and related measures as well as by internal process measures. These are data-driven, “evidence-based” systems that have been shown in both the public and private sectors to enhance performance. As the saying goes, “what gets measured gets done.”

IV. PROVISION OF COUNSEL AT ARRAIGNMENT

Public Defender lawyers must be made available to represent individual indigent defendants at felony and misdemeanor arraignments. The Public Defender should seek the staff necessary to provide such entry into cases at arraignment: approximately thirteen lawyers: four in Riverside, three in Indio and Blythe, three in Hemet, and one each in Perris, Banning, and Corona.

Some improvements have been made in respect to client representation at arraignments. A modest increase in staffing and the shifting of certain attorney assignments and responsibilities has allowed the RPDO to initiate representation at virtually all felony arraignments and misdemeanor custody arraignments in Riverside, and to a lesser extent in the outlying areas. As was true in 1999, the RPDO does not universally represent non-custody defendants at misdemeanor arraignments. Supervisors report receiving constant

calls from individuals who voice concerns about their cases as a result of this. The failure to fully implement this recommendation is attributable to staffing shortages. While the RPDO did receive nine additional attorney positions in its 2000-2001 budget, this was roughly one-quarter of what it had requested and what it judges to be adequate staffing. The failure to provide universal representation at arraignment is inconsistent with the RPDO's basic mission and represents a danger to the RPDO and the County.¹

Adequate RPDO staffing at all arraignments would yield cost efficiencies and overall effectiveness to the Riverside County Justice System. Early disposition of cases in the form of appropriate pleas of guilty avoids the costs associated with subsequent court proceedings. Judges whom we interviewed on the subject expressed the view that RPDO participation at arraignments would improve the system. While the RPDO is taking the steps it can to comply with this ERR the key to fulfillment lies with the County.

Notices should be clearly posted in all courts and detention facilities providing the telephone number of the public defender office, and any written materials and oral information provided to defendants should prominently notify them of their right to counsel and how to secure counsel if they are financially unable to retain private counsel. Translations of written materials, and the services of interpreters, should be available for non-English-speaking clients. Counsel should be available to any prisoner in custody who wishes to talk to a public defender before he goes to court or is interrogated by the police. If detained indigent defendants are to be arraigned by video hookup to the jail, they must have an opportunity to have defense counsel physically present with them during the proceeding.

The RPDO has not yet posted notices in the jails as recommended. We encourage this, but recognize that it has lesser priority than most of the ERRs. The RPDO has a Customer Satisfaction Survey in both English and Spanish that is analyzed to support improvement activities. An active effort has been made to communicate with non-English speakers through bilingual or multilingual staff members. These individuals receive additional compensation. (We note below, however, that dedicated staff, certified in the languages, are the most effective approach—and one which we continue to recommend.) The RPDO indicates that supervising and trial attorneys are available to assist clients before court or interrogation by law enforcement. The RPDO indicates that video arraignments are not conducted in Riverside County.

¹ In *Barner v. Leeds*, 24 Cal. 4th 676 (2000), the Supreme Court ruled that public defenders are not entitled to immunity under California Government Code §820.2 when sued for malpractice by clients for whom they had been appointed as counsel in criminal cases. While acknowledging that Public Defenders are government employees, the Court held that Public Defenders owe the same duty of care to their clients as do private attorneys. That is, when sued for malpractice, liability and damages attach to Public Defenders to the same extent as private attorneys. *See also, Wiley v. County of San Diego* (1998) 19 Cal. 4th 532. We leave to County Counsel an analysis of whether and to what extent the RPDO and the County are vulnerable to claims by individuals who were entitled to Public Defender representation, but who were unrepresented as a consequence of RPDO staffing shortages.

V. CONTINUITY OF REPRESENTATION

In both Riverside and Indio, in felony cases, the same lawyer should represent the defendant at the preliminary hearing and all subsequent proceedings in order to preserve "continuity of representation" otherwise known as "vertical representation."

Under current practice, the RPDO provides “vertical” representation only in the most serious of cases. This means that, in most cases, the defendant is represented by different lawyers at the arraignment, preliminary hearing and trial court proceeding. The RPDO attributes this to staffing shortages and the efficiencies of specialization that inure to attorneys in calendar courts. Vertical representation is preferable in terms of systems efficiencies and effectiveness of representation. Court consolidation and the imminent opening of the Southwest Justice Court only emphasize this advantage. Attorneys who undertake representation and preparation early are far more likely to understand the subtleties necessary to support judgments attendant to any strategy or action. Segmenting representation among lawyers at different stages or in different courtrooms runs counter to all national standards on the subject, and creates inefficiency in the form of “rework” on legal issues. Adequate staffing to support vertical representation also avoids costs to the rest of the criminal justice system. Well-prepared attorneys who have strong relationships with their clients are far more effective in achieving the right outcome with the least effort. When defendants see different attorneys at each stage of their cases, it is only natural for them to be confused and distrustful about the quality of representation. This often results in delays and difficulty in achieving the right disposition in an efficacious manner.

VI. CONFLICTS OF INTEREST

A clear policy on conflicts should be promulgated, and no conflicts should be declared without review and approval by supervisory personnel.

The Public Defender implemented a policy on conflicts of interest shortly after NLADA's site visit in 1999. That policy was reduced to writing and was published in March of 2001. The written policy is nine pages long and covers the pertinent issues in great detail with supporting references to statutes, rules of professional conduct and case law. It is exhaustive on the subject and there is no argument that it lacks clarity. The policy requires consultation with a supervisor before a declaration of conflict is made. A separate section of the policy covers declarations of conflict made “late in case”—a subject about which the RPDO had been vigorously criticized.

On-site interviews and observations confirm that the policy is rigorously applied. Interviews with attorneys confirm that the policy is being followed. The judges we interviewed view the RPDO as properly assessing and declaring conflicts of interest. By all reports, the new policy and its application have resulted in fewer declarations of conflict and fewer appointments of attorneys under the County's contracts that provide outside counsel for this purpose.

VII. MANAGEMENT INFORMATION SYSTEMS

The office should obtain new computer equipment and develop a uniform computerized information system sufficient to provide baseline information on the number of cases assigned to each lawyer, the number closed, their dispositions, their method of disposition, the length of time between opening and closing of a case, and a master calendar to assist in proper evaluation of staff, caseload control, and future budget and staffing needs. If caseloads are refined into appropriately weighted workloads – i.e., further analyzed by case type, and type of disposition – staffing projections can be far more sensitive and accurate. The PDO's computer system should be integrated with the systems of other criminal justice agencies, including courts, prosecution and Sheriff, to improve calendaring, expedite case processing, and eliminate redundant data entry.

The RPDO has undertaken aggressive steps to use technology and computers in its operations. With the current budget, it has acquired desktop and laptop computers for its staff. As noted above, staff training in use of computer applications was made a priority. Most of the office is networked and able to communicate through an e-mail system. An intranet is in development. That system promises to support interoffice communication as well as training.

The RPDO is assessing a new system for case tracking. While final decisions have not been made, the system requirements, as related to the team, are consistent with this ERR. One of the options under consideration is to adopt the integrated case tracking model in use in Ventura County. This system appears promising and some members of the RPDO staff are personally familiar with it. The development of the case tracking system is essential to effective management. Currently, Supervising Attorneys personally track case assignments and caseloads on computers using Excel spreadsheets which require them to “key in” the data. This is a remarkably poor use of their time and talents for which there are no apparent alternatives. The sooner they are freed of this burden and an automated means of supporting their work is available, the more effective they and the RPDO will be.

As part of its participation in a Criminal Justice Coordinating Committee, the RPDO has advocated for an integrated case database and case management system. Other agencies have joined in support. This approach is used in other major counties in California with great success, and we commend the RPDO's efforts in this respect.

VIII. EXTERNAL RELATIONS

The Public Defender should participate in a County Criminal Justice Council or other coordinating body. Such a body should include the group which currently meets monthly (the Public Defender, contract counsel, the District Attorney, the Clerk of Court and three Superior Court Judges, including the Chief Judge), as well as corrections officials, the Sheriff, the Chief Probation Officer and other county departments, including the County Executive. The Public Defender and staff members should be active in civic and community groups, and in bar activities. The Public Defender should consider publishing

a brochure explaining defendant's rights and the location and services of the office, with phone numbers and a hot line. The Public Defender should approve all statements to the media, or designate an experienced member of his staff to perform this function.

The RPDO and the CEO indicate that a Criminal Justice Coordinating Committee has been formed in which the RPDO participates, through an APD representative. Although the Committee appears not be as active as councils in other jurisdictions that significantly enhance the functioning of criminal justice systems, the RPDO's eager support satisfies its implementation of this ERR.

Our observations indicate that, at the agency level, the RPDO has maintained positive relations with the prosecution and the courts. This dynamic is primarily attributable to informal contacts. Supervising District Attorneys in outlying offices indicate they have good relationships with the Public Defender supervisors.

The Public Defender and his senior staff have developed strong relationships with the Chief Executive Office and his office. The Public Defender has also been careful to maintain communications with the Board of Supervisors and individual Supervisors. He is widely seen as having done a strong job and having increased the professionalism and quality of services of the RPDO while making needed, but difficult and unpopular, changes in the office.

The Public Defender is active in a broad variety of bar and civil activities. He has encouraged his staff to emulate this. He represents the RPDO by speaking at a variety of public and private events. Media relations are personally overseen by the Public Defender. A written policy states that he is the only person authorized to speak to the media on behalf of the RPDO, unless specifically delegated to someone else. In sum, from all reports there have been significant positive changes in the RPDO's policies and practices regarding external relations for which it is commended.

IX. JUVENILE COURT

The Public Defender should review staffing patterns in the Juvenile Court and seek adjustment from the County Executive and the Board of Supervisors to allow caseloads in conformity with national standards. The Supervisor of the Division should not carry a caseload. The Public Defender should review the space needs of the Division and seek appropriate additional space. Appropriate dress must be worn in the courtroom and when the staff comes into contact with the public. Regular evaluations should be conducted for staff at all salary levels. Performance evaluations must be tied to realistic and clearly articulated performance measures and standards.

There have been significant changes in the RPDO's Juvenile Division since NLADA issued the Evaluation Report. The RPDO will no longer be handling matters in the Dependency Court (300s). One result is that some RPDO staff have been reassigned to other tasks. Another is that the RPDO has significantly reduced space requirements at the Juvenile Court. Finally, the position of Supervising Deputy in the Juvenile Division is

currently vacant. We were assured by the RPDO that when it is filled, the supervisor will not carry a caseload. It is plain that the Juvenile Division is in transition. Consequently, it is difficult to judge progress in respect to this ERR. Issues of caseloads and supervision await the strategies and solutions chosen by the RPDO management. Performance evaluation has been discussed elsewhere in this report.

The RPDO has reissued its written dress code. Our observations verify that professional staff is currently dressing in a professional fashion, and many of the individuals from other components of the Riverside justice system who spoke to the team remarked spontaneously and favorably on this development.

X. INVESTIGATIONS

Investigator salaries should be at parity with those of District Attorney Investigators. To the extent that the current disparity reflects advanced training of District Attorney Investigators, similar training opportunities should be made available to Public Defender Investigators, by a trainer able to provide POST (Police Officers Standards Training). Investigators in the Civil Division should receive specialized mental health training.

During the fall of 1999, the RPDO requested the County Department of Human Resources to conduct a salary parity study that included the RPDO investigators. The study benchmarked Public Defender investigators at similar levels in nine other counties. It did not benchmark the County District Attorney. The salary ranges for RPDO investigators were found to range from 21.2% to 38% below the average in other counties for similar classifications in other public defender offices. In December of 2000, the County Board of Supervisors approved salary increases of 14.9% for RPDO investigators. **We recommend that the County and the RPDO continue to look at these issues with an eye towards parity with District Attorney investigators who do similar work.**

The RPDO Investigations Division has established a POST training program presented through Rio Hondo College. It has made this program available to other Public Defender offices in nearby counties. Successful attendees receive POST certificates and college credit for completed courses. We were informed that the RPDO training coordinator has established a monthly training in legal issues for investigators.

XI. SOCIAL SERVICES

The high quality work of the existing social service personnel should be recognized, and the division should be expanded, to conduct client assessments and develop diversion or sentencing plans which place clients in appropriate community-based programs or facilities to address problems contributing to their criminal behavior, such as substance abuse or mental illness. Expansion should include adding a Licensed Clinical Social Worker in Riverside, and an additional social worker for the Juvenile Court in Indio. The office should add Spanish-speaking professionals such as certified interpreters who understand the criminal justice system and could interview adult and child clients.

This recommendation has not been implemented. The RPDO indicates that paralegal staff provide this kind of work. The team believes that trained Social Workers would far more effectively deliver this service. Translation services are provided by employees who have other responsibilities. The RPDO indicates that these individuals receive additional compensation. Languages, including sign, which employees do not speak are provided through private services. The team believes this would be far more effectively done through employees with certified skills.

XII. FELONY DIVISION-RIVERSIDE

The Public Defender and senior staff should maintain information on the actual caseloads being carried by the Felony Division lawyers in Riverside, annual disposition rates, and how many open cases defenders have at any given time, and should determine how far they deviate from recognized national caseload standards (maximum of 150 felonies per year), and seek appropriate adjustment through the budget process. There should be an additional supervisor assigned to the felony trial division in Riverside. Both felony trial supervisors should not carry caseloads. There should be an appellate attorney in Riverside to prepare pre-judgment appellate writs. The division should be reorganized so that felony cases are handled vertically, with the same lawyer handling preliminary hearings, felony arraignments and felony trials. There should be a special task force to deal with complex litigation and death penalty cases, with investigators and the resources necessary to try complex matters.

Riverside supervisors take caseload data manually and track it using an Excel spreadsheet. Although, as previously mentioned, this method is not the most efficient it does permit the supervisors to keep track of workload and help manage caseload and supervision.

With additional supervisory positions, the RPDO has allocated two supervisors to Riverside Felonies. They do not carry caseloads. Attorney caseloads, however, appear still to exceed the national standards. This is attributable to a shortage of attorney positions and the fact that, at the time of our visit, there were still a few vacancies. For the same reasons, the RPDO has not initiated vertical representation on a widescale basis and has not established a special task force to deal with complex litigation and death penalty cases. As noted above, we continue to recommend that sufficient positions be allocated to Riverside Felonies to accomplish this ERR.

An appellate position supported by a law clerk has been established. The availability of this new resource received significant praise from supervisors and line attorneys.

XIII. MISDEMEANOR CASELOADS

The Public Defender should review staffing patterns in misdemeanors in light of national caseload standards, information about the number of cases disposed of, the open caseload for each lawyer, and the length of time between the assignment of a case and its

disposition, and should request staffing levels in accordance therewith from the Board of Supervisors.

The RPDO's absence from the arraignment stage in some cases means that it is not recognized as attorney of record in those cases until two days before a trial readiness conference. Many of these cases are settled at that stage and appear not to be routinely included in case numbers. Other than in this situation, despite the fact that a technology-based case tracking system has not yet been implemented, supervisors keep substantial records of caseloads. Review of those records reveal that even with the apparent undercounting of cases mentioned above the RPDO continues to be substantially over national standards, with misdemeanor caseloads in excess of 500, instead of the 400 cap called for in standards. Only limited progress has been made on this ERR: the RPDO has requested the necessary staff but reports its request was not granted at a level that permits satisfaction of the ERR. As stated elsewhere, we continue to urge adequate staffing levels.

XIV. INDIO

XV. HEMET

Indio and Hemet: Recommendations similar to Riverside in the areas of representation at arraignment, vertical representation in felonies, Social Workers, rotation and caseloads.

We have commented elsewhere in this report about our findings in Riverside on these topics. Our comments apply equally to Indio and Hemet and need not be repeated.

XVI. ROTATION

The entire office staff should be involved in periodic rotations for the purposes of cross-training, morale building, prevention of burnout, and improved service to clients.

This ERR has been implemented. The teams' interviews and observations indicate that the policy has been beneficial. RPDO policy number 314 states that assignments are made with the following order of priorities. "1. The needs of the [RPDO]. 2. The professional development of the employee. 3. The stated preference of the employee. 4. The location of the employee's residence." Particularly given the basis for this ERR, these are appropriate priorities for reassignments.

XVII. CONSERVATORSHIPS AND THE CIVIL DIVISION

The PDO should either cease representation in conservatorship cases or significantly reduce the types of conservatorship cases in which representation is provided. At a minimum, the PDO should withdraw from representation of conservatees with significant estates.

The RPDO has opted to maintain its Civil Division. It reasons that specialists in that Division can best handle certain quasi-criminal cases. It previously referenced the liberty

interests at stake in LPS conservatorships. Given the RPDO's level of involvement, however, we restate the options with respect to conservatorships that we presented in the Evaluation Report. "The Audit Team recommends that the PDO's choices should be guided by a focus on its core practice of adult criminal defense and suggests the following options. First, the PDO could withdraw from representation in Probate conservatorships, but remain active in LPS conservatorships. Second, it could withdraw from all conservatorships, but continue to provide other services under the LPS Act. Third, it could limit its representation to conservatorships that also involve criminal proceedings." None of these alternatives has been adopted.

In Probate Guardianships for minors, the RPDO accepts appointment unless the minor exceeds the financial "means test" describe below. We question the meaning of this given that Guardianships apply only to minors who, in any event, lack the legal ability to obligate their estates. Further, the RPDO no longer participates in dependency proceedings under Welfare and Institutions Code §300 et seq. We question the RPDO's participation in Guardianships when it does not represent children in dependency proceedings.

The RPDO has limited its participation in "probate" conservatorships in two ways. First, it accepts appointments under Probate Code §1471(a). This provision applies when the proposed probate conservatee requests an attorney. The RPDO declines appointments under Probate Code §1471(b), which applies when appointments are "...helpful to the resolution of the matter or necessary to protect the interests of the conservatee..." The RPDO has established similar limits for Limited Conservatorships under Probate Code §1800 et seq. In these matters, we question whether representation of Probate conservatees has a meaningful nexus to the RPDO's mission and is a wise expenditure of its budget.

The RPDO's approach in conservatorships of the estate (both probate and LPS) is to limit its representation of conservatees whose estates lack sufficient resources to retain private attorneys. To remain within its financial ability jurisdiction under California Government Code §27706(d), the RPDO applies a "means test" to prospective conservatee clients. Under the test, it will accept appointment in Probate Code conservatorships if the estate has both less than \$25,000 cash or equivalent and a total value of less than \$150,000. Conversely, if the estate contains either great than \$25,000 cash or equivalent or has a total value greater than \$150,000, it will decline appointment. While the team has no knowledge of private attorney fee levels in Riverside County, we accept the RPDO's financial ability test.

We observe, however, that this very test suggests that the RPDO has not sufficiently distanced itself from the problems that led to NLADA's original audit. Even though "small," an estate of \$149,000 and \$24,000 cash has significant value. Further, it suggests that the RPDO has the expertise and means to value gross estates. As noted below, we respect the ability and integrity of the lawyers assigned to the Civil Division. However, we believe that the unique skills sets, expertise and supports needed to deal with conservatorships of the estate are beyond the RPDO's current resources. Further, since

these activities are tangential to the RPDO's core mission, we question the use its limited budget to address this issue. While we did say in the Evaluation Report that "at a minimum, the PDO should withdraw from representation of conservatees with significant estates," the team believes that current means test leaves the RPDO in harms' way.

The RPDO should withdraw from participation in probate conservatorships, Limited Conservatorships and guardianships. In LPS cases, it should decline to participate in conservatorships of the estate, except in cases where the assets consist of public benefits and small accounts necessary to maintain the conservatee. Should the RPDO continue to participate in larger conservatorship estates, we recommend that the County either seek appropriate levels of liability coverage or obtain a professional assessment of the RPDO's risk and budget a substantial contingency for liability.

The County should provide the PDO with an additional appropriation equal to that lost by withdrawing from conservatorships. Another possibility is to work toward revising the enabling legislation so that the office would no longer be responsible for conservatorships altogether.

The RPDO currently has three attorneys assigned to the Civil Division. This is the level at which it staffed that unit prior to assigning a fourth attorney to handle the WCCI cases. As noted in the Evaluation Report, the RPDO withdrew from the former WCCI cases after the current Public Defender assumed office. Consequently, the current staffing of the Civil Division, and we presume its budget, is as before. As we are again recommending that the RPDO truncate its participation in conservatorships, we restate this ERR. We note that failure to appropriate an equivalent sum not only sends the wrong message in response to taking the right action, it provides a disincentive to do so.

The PDO should fully participate in the County's conflicts of interest policies and programs. If it continues to participate in conservatorship estates, the PDO should require each person assigned to the Civil Division to regularly file financial and other statements evidencing compliance with the County's Conflicts of Interest policies. At a minimum, any PDO employee who deals with clients' money or property should be required to regularly file FPPC form 700 or the equivalent.

All Public Defender attorneys and supervisors participate in the County's conflicts of interest program and complete FPPC form 700. This is a remarkable achievement that makes a strong and unmistakable statement about organizational integrity and the RPDO management's dedication to maintaining it. We commend this accomplishment.

A line supervisor should be appointed to run the day-to-day operations of the Civil Division. That supervisor should be accountable to executive management for operating the Division in a manner consistent with the goals and philosophy of the organization as a whole.

The RPDO indicates it lacks the resources to allocate a full-time supervisor to the Civil Divisions. As was true at the time of the Evaluation, an Assitant Public Defender provides part time supervision. However, the RPDO's allocation of a Lead Attorney to the Division is positive. We note that a reduction in the breadth and numbers of cases handled by the Civil Division also should have a positive impact on this ERR. That is true, as well, for the impact of the regular rotation of attorneys noted below. The team continues to believe, however, that in the tangential practice area of the Civil Division, it is important to maintain management oversight. As we noted in the Evaluation Report, "without guidance based on the overall philosophy and interests of the whole office, it is predictable that subgroups within any organization will develop their own culture and be guided by their own stars."

The PDO should regularly rotate attorneys and paraprofessionals into and out of the Civil Division. The PDO should carefully examine the scope of activities of its Civil Division staff to determine whether training is required or, in some instances, certain activities should be truncated. The RPDO should retain appropriately trained and licensed clinicians to examine what is being done by Civil Division paraprofessional staff and assist in establishing clear practice limits.

Two of three attorneys have been assigned to the Civil Division since we submitted the Evaluation Report. Our observation is that this has had a positive impact on that unit. The current Civil Division staff appears to be conscientious, energetic and capable. It includes experienced public defenders and a relatively new attorney who has civil law experience. Interviews with RPDO staff and representatives from other agencies involved in conservatorships confirm that interpersonal and inter-organizational relationships are professional and appropriate. Immense progress has been made in this respect.

Some attempts at dedicated training for Civil Division staff have been made. The RPDO concedes, however, that work remains to be done in this area and the team encourages it to do so. We continue to believe that Social Workers would be a positive addition to the Civil Division staff. We again recommend that practice limits in the Civil Division be carefully monitored.

The PDO should work to rebuild relationships with other agencies that operate within the Civil Division's area of responsibility. The Public Defender himself should participate in regular meetings with the heads of these agencies until such time as effective communication is restored and appropriate interaction is the norm.

As suggested above, the RPDO has substantially rebuilt relationships with other agencies. It participates in a multi-agency taskforce that also includes County Counsel, Public Guardian/Mental Health and Adult Protective Services. The Superior Court declined to participate. An APD represented the Public Defender's office. That taskforce studied the conservatorship system and formally reported to the Board of Supervisors on means of improvement. Several stakeholders informed us on site that the work of the taskforce has had a positive impact on the conservatorship system. We congratulate the RPDO for its participation.

XVIII. ACCOUNTING PROCEDURES

A full financial audit should be conducted to determine needs and opportunities for improvement in the management of the PDO budget and finances. A Chief Fiscal Officer should be named and a financial and accounting support staff hired to insure that all public funds available to the PDO are expended pursuant to proper procedure and fiscal controls. The Chief Fiscal Officer should report directly to the Public Defender.

The County Auditor Controller conducted a financial audit during the spring of 2000. An audit report with recommendations concerning internal controls was submitted to the Public Defender in August 2000. The RPDO has not hired a dedicated Chief Financial Officer. It has filled the position of Administrative Manager that was vacant at the time of the 1999 evaluation. The position answers directly to the Public Defender. RPDO management seems satisfied that this position and the individual who fills it adequately address this ERR.

XIX. CLERICAL SUPPORT

A thorough assessment of clerical job requirements and compensation should be undertaken. Instead of secretarial staff sometimes interviewing clients to initiate certificates of rehabilitation and pardons, this work should be done by lawyers. Support staff should have pay parity with their counterparts in the court system and other criminal justice agencies. Clerical performance standards supported by meaningful performance evaluation should be initiated. Performance should be linked to retention and advancement. There must be a career ladder so that ambitious and capable employees can advance in the system. Excellence should be recognized, such as by a formal office-wide "employee of the month" award. A full-time position of Human Relations Officer should be created in the PDO.

The RPDO indicates that secretarial personnel conduct a standardized intake interview of clients seeking certificates of rehabilitation. The office cautions that the form is passed to and reviewed by a grade IV attorney. This is the same procedure that NLADA criticized in the Evaluation Report, indicating that this responsibility should be conducted by the client's attorney. The RPDO indicates that it intends to assign paraprofessional staff to the task. This is a step in the right direction and should be accomplished as soon as possible.

A job classification study has been conducted of clerical positions that resulted in salary increases and salary parity with other County agencies. Since our 1999 evaluation, however, the courts as a separate entity have again raised the salary bar for secretaries. While the outward flow of qualified secretaries has stemmed to some extent, the disparity in pay with the courts has extended the problem. We reemphasize the value of high quality support staff and recommend that the RPDO and the County continue to study the apparent disparity in pay with the courts. The classification study did not result in additional positions that would have supported a clerical career ladder. This is unfortunate. The lack of opportunities for advancement in any endeavor has a negative

impact on retention. The RPDO is considering means by which bridges to paralegal positions can be established for secretaries. While this will support the retention of individual employees who seek different challenges, those who wish to stay in the clerical field will remain without a career ladder.

As noted above, the RPDO management has undertaken broad ranging efforts with respect to performance management and evaluation, including clerical positions. Clerical staff we encountered were generally receptive and supportive of the PDO leadership. This attitude may create a window of opportunity to develop and implement performance standards among clerical staff. Attorney input into clerical evaluations can be a valuable component of the process, often allowing the rater to point to specific instances of good performance to support and encourage the staff member. In some cases an evaluation process that includes input from other job classes can bring fellow employees closer to a team-based working relationship. Such input should not be at the rating stage, but rather should be gathered by the rater and independently evaluated before being given any weight in the evaluation. If such a process is used, clerical input into appropriate components of the attorney evaluation process should be implemented as well.

The team noted the enthusiasm and dedication of clerical supervisors and staff. They seem to function well in the face of immense challenges. As suggested in the Evaluation Report, additional clerical deskbooks have been developed. We were informed that methods of recognizing high achievement among the clerical staff are being developed. We commend this and encourage prompt implementation.

The RPDO still does not have a dedicated position of personnel or human relations officer. Apparently, County policies do not permit this. A senior secretary continues to bear this burden along with other duties without salary or position recognition. The team continues to believe that an organization with the breadth of personnel issues faced by the RPDO should have a dedicated, trained, recognized personnel officer. This is no less so given the recent need to hire significant numbers of new employees. The RPDO's ability to nimbly respond to hiring opportunities has been hampered by a centralized system that does not suit its needs. Without a full-time position to cope, hiring opportunities can easily be lost. We continue to recommend that the RPDO be allocated a dedicated Human Resources officer, trained and compensated for that purpose.

SUMMARY RESULTS OF DEFENDER STAFF SURVEY

The 2001 follow-up evaluation included distribution to all RPDO staff of the same 75-question survey which they were asked to complete in 1999 for the original evaluation. The response rate was equally strong both times – about 138 surveys returned, or 80 percent response rate.

The survey solicits perceptions and attitudes about the mission and philosophy of the office, supervision and the PDO organizational culture, staff members' work and assignments, PDO work processes, training and professional development, intra-office communications, and other issues relating to organization and structure. Respondents to

the Staff Survey were asked to express one of five different levels of agreement with 75 statements, or to answer "no information." They could respond that they 1) strongly disagreed, 2) somewhat disagreed, 3) neither agreed or disagreed, 4) somewhat agreed, or 5) strongly agreed. The survey included a space for written comments, and a wide range of written comments were received. The surveys were tabulated by James Derzon, a social science researcher and statistician engaged by NLADA.

The first four pages are a summary of the response data, with four columns worthy of note. The column entitled "Job" notes any significant differences between the views of Management (respondents categorizing themselves as Management or Office Administration) and all others (trial attorneys, clerical, investigator, paralegal). The column entitled "Place" notes any significant differences between the views of personnel working in the Riverside office and those working in the outlying offices. These two columns are further explained in the two appendices ("Cross-tabulations"), presenting more precise breakdowns of the different answers given by respondents for any question for which answers varied significantly by either Job or Place. The column entitled "Year" notes any significant differences based on the number of years that the respondent has worked for the RPDO; "□" reflects that employees with longer terms of service agreed more strongly with the item stated, while "□" indicates that employees with fewer years of service agreed more strongly.

Following the column headed "X" (the mean response rate on the scale of 1 to 5) is the fourth special column, "Y", which presents the same mean response rate from the 1999 staff survey. This allows direct comparison of attitudes between 1999 and 2001.

Overall, the responses in virtually every category showed either an improvement or no change in personnel attitudes between the 1999 and 2001 surveys. Most categories showed an improvement.

One of the strongest areas of improvement was in the extent to which employees feel support and respect from the County and the community. The largest single improvement (an increase of 1.1 points on a range of 1 to 5) was to the statement that "Riverside County supports the mission of the PDO" (Question 11), followed closely by an improvement of 0.7 points agreeing with the statement that "the PDO is respected in the community" (Q26) (though this impression was much more strongly felt in the outlying offices than in Riverside). Even with these significant improvements, however, the scores for these two questions are still relatively quite low (2.8 and 2.9 respectively). Employees in the outlying office had significantly stronger positive views, exemplified particularly in the number who strongly agreed that the PDO is respected in the criminal justice system and in the community (Q25 and 26). Respondents with fewer years of service were more likely to share these positive views than longer-term employees.

There was a corresponding significant decrease in agreement with the concern that "outside forces threaten the PDO organization" (Q70, a decrease of 0.6), and smaller but still notable improvements in agreement that "the PDO is a full member of the criminal justice system" (Q72, up 0.4, to 4.0), and "the PDO has the resources needed to get its job

done (Q74, up 0.3, to a still modest 3.1). There was a reduced perception of inside “factions” destructive of the office (Q68, 69), and this concern was significantly less in the outlying offices.

Employees seem to credit management with a significant improvement in defining and implementing its mission. There was a significant increase in employees’ support for the philosophy with which the PDO mission is accomplished (Q4, up 0.4 to a healthy 4.0). In fact, the number of employees who expressed “strong” support more than doubled (from 26 to 55). There were significant increases in agreement that there are both clear performance standards and a well-defined plan for accomplishing the PDO’s mission (Q7 and 10, both up 0.5), and a corresponding decrease in the sense that staff members are “on their own” in terms of organizational philosophy (Q3, down 0.5 to 2.5). There was an increasing perception that the organizational structure is appropriate for the PDO’s mission and philosophy (Q71, up 0.6).

There were modest improvements in perceptions of the Office’s system of supervision – including increases in respondents who feel that their co-workers are properly qualified for their positions, that their compensation is about equivalent to others who do the same kind of work, and that the criteria for promotion are understood, appropriate, and effectively applied (Q12, 14, 22, 23 and 24). There was an increase in the number of employees who feel that managers and supervisors have the skills necessary for their jobs (Q29), and that responsibilities and authority are well matched (Q 69). Employees in the outlying offices had a stronger sense than those in Riverside that management does a good job of matching job assignments with people’s abilities (Q32).

There was an apparent increase in perceptions of accountability – being “afraid to make mistakes at the PDO for fear of the consequences” (Q13). There was also a significant increase in the perception that “PDO management’s decisions take into account the needs of the county” (Q37, up 0.7).

“Overall,” commented one senior trial attorney, “while the current administration is not flawless, the office’s structure, management and organization are vastly improved. Things have changed for the better.” This respondent did also note that, “it’s demoralizing to be paid less than the county prosecutors and public defenders statewide. We still need parity.”

Attitudes about some aspects of supervision and organizational culture differed significantly depending on whether the respondent worked in the Riverside office or one of the outlying offices. For example, a significantly higher percentage of employees in the outlying offices strongly agreed that their formal performance review “is a worthwhile experience” (Q18). More than twice as many strongly agreed that “PDO staff members are open and honest with one another” (Q21). Views on these issues also differed between management and staff, with considerably more managers than staff understanding or approving of the criteria for promotion or how they are applied (Q22-24). One junior trial attorney complained about the increasingly individualized scrutiny and the abandonment of automatic promotions: “The DA’s office promotes these two

steps [the lower grades] automatically. This office used to. This current management took this away. Now it's some subjective evaluation."

The new staff rotation policies appear to have a positive effect. The most significant improvement in the area of staff members' work and assignments was a great reduction in concern that "people stay in the same job assignment too long" (Q34, down 0.9), and an increase in perceptions that workload is shared equitably with others (Q39, up 0.6). There was also an increased perception that staff assignments are rotated in a way that enhances organizational effectiveness (Q33, though managers felt much more strongly about this than staff), and that each person is encouraged to do high quality work (Q40).

Employees appear to feel that productivity is up. There were increases in the perception that the PDO is trying to improve its productivity, that divisions cooperate with each other, and that official policies and procedures are followed (Q 43, 42 and 47).

Attitudes toward training are improved, but still not terribly strong. There were increases in perceptions that the office supports employees' professional development, that appropriate training is both provided and effective, and that outside training is supported (Q 50, 51, 53 and 54). But the need for improvement is still perceived; one trial attorney with one year experience commented: "The attorneys in this office are talented and hard working and underappreciated by the courts and Board of Supervisors. We should be provided sufficient funding to allow for training and attendance at seminars. We should have parity with the DA's office." Another relatively new clerical employee commented that, "I had one day training on my current position. I do not feel that was adequate."

The area of communications was uniformly improved. The strongest increase was in employees' sense that they are well informed about the office's policies and philosophy (Q61, up 0.8) – a perception that was much stronger among management than staff. More employees felt that their input makes a difference, that organizational information is disseminated in an effective manner, and that their supervisor considers their input when making decisions (Q55-57), and there was a lessening of the perception of a "powerful rumor mill" (Q59).

CONCLUSION

NLADA has been privileged to work with the County of Riverside and the Riverside County Public Defender on this important project. We again congratulate both entities for the progress that has been made in the short time period since we submitted our Evaluation Report. The RPDO's current management and staff have made major and beneficial changes in the office's operations. These changes have on occasion involved painful actions and experiences. We recognize that allocations to the RPDO from the County General Fund necessarily competed with other public priorities. We commend the Board of Supervisors and the CEO for recognizing the importance of committing resources to support the RPDO's progress and a balanced criminal justice system. We are confident that progress will continue. NLADA looks forward to supporting that process for so long as it is helpful.

**RESPONSES TO THE 2001 STAFF SURVEY
IN SUPPORT OF THE ORGANIZATIONAL ASSESSMENT
OF THE RIVERSIDE COUNTY PUBLIC DEFENDER
BY THE NATIONAL LEGAL AID AND DEFENDER ASSOCIATION**

	N	Job	Place	Year	X	Y	0	1	2	3	4	5	8/9
About Mission and Philosophy													
1 The mission of the Public Defenders' Office (PDO) is clear to me.	134				4.4	4.5	2	2	2	13	36	79	3
2 The PDO has an organizational philosophy by which it accomplishes its mission.	137				3.8	3.5	6	8	5	31	46	41	0
3 PDO staff members are "on their own," in terms of organizational philosophy.	132				2.5	3.0	12	44	15	35	12	14	5
4 I support the philosophy with which the PDO mission is accomplished.	135				4.0	3.6	7	5	6	26	36	55	2
5 The PDO is accomplishing its mission.	135				3.8	3.8	4	5	10	29	56	31	2
6 The PDO management's priorities are consistent with the PDO mission.	134	M			3.5	3.2	8	13	10	35	41	27	3
7 The PDO has clear performance standards for carrying out its mission.	134	M			3.5	3.0	8	12	13	31	44	26	3
8 The PDO is responsive to the recipients of its services.	134				3.9	3.9	1	6	11	24	48	44	3
9 The PDO's philosophy is consistent with its mission.	135				3.9	3.7	7	6	5	29	50	38	2
10 The PDO has a well-defined plan for accomplishing its mission.	136				3.5	3.0	10	9	14	27	53	23	1
11 Riverside County supports the mission of the PDO.	134	M			2.8	1.7	21	27	21	30	22	13	3

About Supervision and PDO Organizational Culture:

12 My co-workers are properly qualified for their positions.	134		O	∇	4.1	3.8	4	3	8	15	57	47	3
13 I am afraid to make mistakes at the PDO for fear of the consequences.	134				3.0	2.6	2	37	19	14	33	29	3
14 My compensation is about equivalent to others who do the same kind of work.	137				3.0	2.5	15	25	26	19	32	20	0
15 My supervisor makes a point of letting me know about my performance.	137				3.8	3.7	2	9	10	28	36	52	0
16 I get enough feedback to know if I'm performing up to the PDO's expectations.	137				3.7	3.6	2	10	15	22	48	40	0
17 I receive regular formal performance reviews by my supervisor.	137				3.5	3.5	11	13	15	33	25	40	0
18 My formal performance review is a worthwhile experience.	136		O		3.3	3.3	24	15	8	36	32	21	1
19 I understand the criteria used by my supervisor in evaluating my performance.	135				3.6	3.4	11	13	13	27	34	37	2
20 The evaluation of my work performance is based on pre-determined criteria.	136				3.4	3.3	25	11	9	40	32	19	1
21 PDO staff members are open and honest with one another.	136		O		3.3	3.0	3	15	24	33	29	32	1
22 I understand the criteria for promotion.	136	M			3.4	3.0	10	17	16	26	39	29	0
23 The criteria for promotion are appropriate for the PDO organization.	137	M			3.1	2.8	16	13	21	38	34	15	0
24 Promotions are based on the promotional criteria.	137	M			3.2	2.7	22	16	13	36	33	17	0
25 The PDO is respected in the Criminal Justice System.	137		O	∇	3.0	2.6	13	18	25	32	32	16	1
26 The PDO is respected in the Community.	136		O	∇	2.9	2.2	13	20	28	32	28	15	1
27 I am proud to say that I work for PDO.	136				4.4	4.2	1	3	2	18	34	78	1
28 My supervisor treats me with respect.	136				4.4	4.2	0	4	5	8	30	89	1
29 Managers and supervisors have the skills necessary for their jobs.	137		O	∇	3.8	3.3	3	8	14	29	34	49	0

About Staff Members' Work and Assignments:

30	Most staff members are willing to do more than their job requires.			135		3.9	3.5	5	4	13	20	44	49	2
31	My workload is appropriate.			135		3.4	3.5	1	14	21	23	50	26	2
32		O	Management does a good job of matching job assignments with people's abilities.	136		3.3	3.1	14	15	18	33	34	22	1
33	M		Staff assignments are rotated in a way that enhances organizational effectiveness.	136		2.9	2.6	16	23	19	42	23	13	1
34	M		People stay in the same job assignment too long.	135		2.5	3.4	9	28	32	47	15	4	2
35			PDO management's decisions take into account the needs of the PDO staff.	134		2.8	3.0	10	29	22	31	29	13	3
36	M		PDO management's decisions take into account the needs of the clients.	134		3.3	3.3	9	15	24	25	37	24	3
37			PDO management's decisions take into account the needs of the County.	134		3.8	3.1	29	2	4	35	39	25	3
38			My job makes good use of my skills and abilities.	134		4.0	3.9	2	7	8	16	53	48	3
39		O	Everyone who does the kind of work I do shares equitably in the workload that I do.	134		3.7	3.1	6	10	10	27	46	35	3
40			I am encouraged to do high quality work.	136		4.4	4.1	3	5	4	14	24	86	1

About the Work Processes used by the PDO:

41			My direct supervisor is helpful to me in accomplishing my daily tasks.	136		3.9	3.8	0	10	8	24	34	60	1
42		O	Different Divisions cooperate with each other to get the job done.	136		3.8	3.3	7	5	10	24	55	35	1
43			The PDO makes an effort to improve its productivity.	136		3.8	3.4	7	6	6	37	43	37	1
44			Enhancing productivity is important for the PDO's future.	135		4.2	4.3	12	2	4	24	37	56	2
45			Paperwork is a necessary part of my job.	135		4.5	4.5	1	0	2	9	38	85	2
46			PDO cases are processed in an efficient manner.	136		3.7	3.8	11	8	12	24	51	30	1
47			PDO's official policies and procedures are followed and applied.	136		3.7	3.2	17	3	11	32	48	25	1

About Training and Professional Development:

48			Training is so important that it should take spending priority over other budgeted items.	136		3.8	3.9	6	3	7	45	37	38	1
49		O	There are strong mentoring relationships in the PDO.	135		3.0	3.0	7	18	23	37	37	13	2
50	M	R	The PDO supports me in my professional development.	136		3.7	3.3	4	10	10	31	39	42	1
51	M		Appropriate training is identified and provided for staff by the PDO.	136		3.3	2.9	3	9	20	49	37	18	1
52			Ethics and professional responsibility should be a training priority.	136		3.9	4.0	2	5	7	32	46	44	1
53			The PDO's training is effective.	136		3.3	2.9	8	11	9	52	45	11	1
54			Outside training is supported by the PDO.	133		3.8	3.5	9	4	13	29	42	36	4

N	Job	Place	Year	X	Y	0	1	2	3	4	5	8/9
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About Communications:

55	My input makes a difference in the PDO.			134	M			3.2	2.9	6	25	14	28	35	26	3
56	Organizational information is disseminated in an effective manner.			135				3.3	2.9	3	12	18	34	52	16	2
57	My supervisor considers my input when making decisions.			135				3.8	3.5	5	7	9	28	47	39	2
58	I can talk honestly with supervisors about my work concerns.		▽	135				4.0	3.9	0	8	5	22	41	59	2
59	There is a powerful "rumor mill."			136				3.5	4.0	12	8	17	37	28	34	1
60	When management says something, you can believe it is true.			134	M			3.2	3.0	4	18	12	49	27	24	3
61	I am well informed about PDO's policies and philosophy.			135	M			3.7	2.9	3	6	9	43	37	37	2

About Other Issues relating to Organization and Structure:

62	I have enough discretion to perform my duties effectively.			135				4.3	4.5	0	0	6	19	42	68	2
63	Reporting relationships are clearly understood.			133				3.8	3.8	11	5	4	34	42	37	4
64	The PDO places a high priority on doing things efficiently.			135				3.8	3.6	5	6	7	36	40	41	2
65	The PDO places a high priority on doing things right.			136				4.0	3.9	6	4	8	21	51	46	1
66	Job responsibilities are clearly defined.			137				3.9	3.6	1	6	5	26	57	42	0
67	Responsibilities and authority are well matched.			136				3.4	2.9	9	13	12	37	40	25	1
68	There are "factions" inside the PDO.			135	R			3.4	4.0	23	12	11	33	28	28	2
69	Inside "factions" are destructive.			132	R			3.6	4.0	19	10	7	38	23	35	5
70	Outside forces threaten the PDO organization.		Δ	136				3.8	4.4	23	3	7	36	33	34	1
71	The current organizational structure is appropriate for PDO's mission and philosophy.			133	M			3.6	3.0	19	8	6	42	27	31	4
72	The PDO is a full member of the Criminal Justice System.			134				4.0	3.6	11	4	7	23	37	52	3
73	I have the resources needed to get my job done.			134				3.5	3.3	0	18	18	18	44	36	3
74	The PDO has the resources needed to get its job done.			135				3.1	2.8	11	23	28	13	32	28	2
75	The PDO is my career.			136				4.3	4.5	2	4	3	20	23	84	1

KEY

N = Number of valid responses

Job = Kind of Job: Manager or Office Administrator versus Staff

Place = Place of Assignment: Riverside or Other

X = Sample Mean for Item **Y** = Sample Mean, Previous Survey

8/9 = Missing or invalid answer

0 = No Information, **1** = Strongly Disagree, **2** = Somewhat Disagree, **3** = Neither Agree or Disagree, **4** = Somewhat Agree, **5** = Strongly Agree

S = Significant, although not necessarily meaningful, relationship noted favoring Staff.

M = Significant, although not necessarily meaningful, relationship noted favoring Managers, Office Administration/IS

R = Significant, although not necessarily meaningful, relationship noted favoring Riverside office.

O = Significant, although not necessarily meaningful, relationship noted favoring Other (West County, Desert) offices.

Δ = Significant Positive, although not necessarily meaningful, relationship noted for number of years of employment.

▽ = Significant Negative, although not necessarily meaningful, relationship noted for number of years of employment.

Which kind of job do you have?

- 13 Management
- 62 Trial Attorney
- 6 Office Administration/IS
- 24 Clerical
- 21 Investigator
- 2 Paralegal
- 4 Other
- 5 Missing or cannot tell

Place of Assignment

- 78 Riverside
- 13 West County
- 33 Desert
- 13 Missing or cannot tell

Length of PDO Service in years

- 46 0 to 2.9 years
- 14 3 to 4.9 years
- 22 5 to 9.9 years
- 18 10 to 14.9 years
- 13 15+ years
- 24 Missing

Appendix 1: Cross-Tabulation for Type of Job by Question, Only Significant Relationships Shown

Appendix 2: Cross-Tabulation for Place of Assignment by Question, Only Significant Relationships Shown

Appendix 1:

Cross-Tabulation for Type of Job by Question, Only Significant Relationships Shown

6) The PDO management's priorities are consistent with the PDO mission.

			Q6					Total
Type of job			1.00	2.00	3.00	4.00	5.00	
Management	Count			1	1	9	8	19
	% within			5.3%	5.3%	47.4%	42.1%	100.0%
Staff	Count		12	8	33	31	19	103
	% within		11.7%	7.8%	32.0%	30.1%	18.4%	100.0%
Total	Count		12	9	34	40	27	122
	% within		9.8%	7.4%	27.9%	32.8%	22.1%	100.0%

7) The PDO has clear performance standards for carrying out its mission.

			Q7					Total
Type of job			1.00	2.00	3.00	4.00	5.00	
Management	Count			2	2	6	9	19
	% within			10.5%	10.5%	31.6%	47.4%	100.0%
Staff	Count		11	10	28	38	16	103
	% within		10.7%	9.7%	27.2%	36.9%	15.5%	100.0%
Total	Count		11	12	30	44	25	122
	% within		9.0%	9.8%	24.6%	36.1%	20.5%	100.0%

11) Riverside County supports the mission of the PDO.

			Q11					Total
Type of job			1.00	2.00	3.00	4.00	5.00	
Management	Count		4	1	2	6	5	18
	% within		22.2%	5.6%	11.1%	33.3%	27.8%	100.0%
Staff	Count		22	20	26	16	7	91
	% within		24.2%	22.0%	28.6%	17.6%	7.7%	100.0%
Total	Count		26	21	28	22	12	109
	% within		23.9%	19.3%	25.7%	20.2%	11.0%	100.0%

22) I understand the criteria for promotion.

			Q22					Total
Type of job			1.00	2.00	3.00	4.00	5.00	
Management	Count		1	1		7	9	18
	% within		5.6%	5.6%		38.9%	50.0%	100.0%
Staff	Count		15	13	26	32	19	105
	% within		14.3%	12.4%	24.8%	30.5%	18.1%	100.0%
Total	Count		16	14	26	39	28	123
	% within		13.0%	11.4%	21.1%	31.7%	22.8%	100.0%

23) The criteria for promotion are appropriate for the PDO organization.

			Q23					Total
Type of job			1.00	2.00	3.00	4.00	5.00	
Management	Count			1	2	9	6	18
	% within			5.6%	11.1%	50.0%	33.3%	100.0%
Staff	Count		13	18	36	25	8	100
	% within		13.0%	18.0%	36.0%	25.0%	8.0%	100.0%
Total	Count		13	19	38	34	14	118
	% within		11.0%	16.1%	32.2%	28.8%	11.9%	100.0%

24) Promotions are based on the promotional criteria.

			Q24					Total
Type of job			1.00	2.00	3.00	4.00	5.00	
Management	Count		1	2	1	6	8	18
	% within		5.6%	11.1%	5.6%	33.3%	44.4%	100.0%
Staff	Count		14	11	33	26	9	93
	% within		15.1%	11.8%	35.5%	28.0%	9.7%	100.0%
Total	Count		15	13	34	32	17	111
	% within		13.5%	11.7%	30.6%	28.8%	15.3%	100.0%

33) Staff assignments are rotated in a way that enhances organizational effectiveness.

			Q33					Total
Type of job			1.00	2.00	3.00	4.00	5.00	
Management	Count		1	2	2	9	4	18
	% within		5.6%	11.1%	11.1%	50.0%	22.2%	100.0%
Staff	Count		21	15	39	14	9	98
	% within		21.4%	15.3%	39.8%	14.3%	9.2%	100.0%
Total	Count		22	17	41	23	13	116
	% within		19.0%	14.7%	35.3%	19.8%	11.2%	100.0%

34) People stay in the same job assignment too long.

			Q34					Total
Type of job			1.00	2.00	3.00	4.00	5.00	
Management	Count		5	4	3	6		18
	% within		27.8%	22.2%	16.7%	33.3%		100.0%
Staff	Count		22	26	43	8	4	103
	% within		21.4%	25.2%	41.7%	7.8%	3.9%	100.0%
Total	Count		27	30	46	14	4	121
	% within		22.3%	24.8%	38.0%	11.6%	3.3%	100.0%

36) PDO management's decisions take into account the needs of the clients.

			Q36					Total
Type of job			1.00	2.00	3.00	4.00	5.00	
Management	Count			2	2	4	9	17
	% within			11.8%	11.8%	23.5%	52.9%	100.0%
Staff	Count		15	21	19	33	15	103
	% within		14.6%	20.4%	18.4%	32.0%	14.6%	100.0%
Total	Count		15	23	21	37	24	120
	% within		12.5%	19.2%	17.5%	30.8%	20.0%	100.0%

50) The PDO supports me in my professional development.

			Q50					Total
Type of job			1.00	2.00	3.00	4.00	5.00	
Management	Count				1	9	8	18
	% within				5.6%	50.0%	44.4%	100.0%
Staff	Count		9	9	30	30	33	111
	% within		8.1%	8.1%	27.0%	27.0%	29.7%	100.0%
Total	Count		9	9	31	39	41	129
	% within		7.0%	7.0%	24.0%	30.2%	31.8%	100.0%

51) Appropriate training is identified and provided for staff by the PDO.

			Q51					Total
Type of job			1.00	2.00	3.00	4.00	5.00	
Management	Count			1	4	6	7	18
	% within			5.6%	22.2%	33.3%	38.9%	100.0%
Staff	Count		9	17	44	31	10	111
	% within		8.1%	15.3%	39.6%	27.9%	9.0%	100.0%
Total	Count		9	18	48	37	17	129
	% within		7.0%	14.0%	37.2%	28.7%	13.2%	100.0%

55) My input makes a difference in the PDO.

			Q55					Total
Type of job			1.00	2.00	3.00	4.00	5.00	
Management	Count			2	1	6	9	18
	% within			11.1%	5.6%	33.3%	50.0%	100.0%
Staff	Count		23	12	26	29	16	106
	% within		21.7%	11.3%	24.5%	27.4%	15.1%	100.0%
Total	Count		23	14	27	35	25	124
	% within		18.5%	11.3%	21.8%	28.2%	20.2%	100.0%

60) When management says something, you can believe it is true.

			Q60					Total
Type of job			1.00	2.00	3.00	4.00	5.00	
Management	Count				5	5	8	18
	% within				27.8%	27.8%	44.4%	100.0%
Staff	Count		17	11	44	21	14	107
	% within		15.9%	10.3%	41.1%	19.6%	13.1%	100.0%
Total	Count		17	11	49	26	22	125
	% within		13.6%	8.8%	39.2%	20.8%	17.6%	100.0%

61) I am well informed about PDO's policies and philosophy.

			Q61					Total
Type of job			1.00	2.00	3.00	4.00	5.00	
Management	Count				1	4	13	18
	% within				5.6%	22.2%	72.2%	100.0%
Staff	Count		6	9	39	32	23	109
	% within		5.5%	8.3%	35.8%	29.4%	21.1%	100.0%
Total	Count		6	9	40	36	36	127
	% within		4.7%	7.1%	31.5%	28.3%	28.3%	100.0%

71) The current organizational structure is appropriate for PDO's mission and philosophy.

			Q71					Total
Type of job			1.00	2.00	3.00	4.00	5.00	
Management	Count			2	1	3	10	16
	% within			12.5%	6.3%	18.8%	62.5%	100.0%
Staff	Count		7	4	38	24	20	93
	% within		7.5%	4.3%	40.9%	25.8%	21.5%	100.0%
Total	Count		7	6	39	27	30	109
	% within		6.4%	5.5%	35.8%	24.8%	27.5%	100.0%

Appendix 2:

Cross-Tabulation for Place of Assignment by Question, Only Significant Relationships Shown

My co-workers are properly qualified for their positions.

				Q12					Total
				1.00	2.00	3.00	4.00	5.00	
PLACE	1.00	Riverside	Count	2	8	11	31	21	73
			% within PLACE Assignment	2.7%	11.0%	15.1%	42.5%	28.8%	100.0%
	2.00	Other	Count			1	20	24	45
			% within PLACE Assignment			2.2%	44.4%	53.3%	100.0%
Total			Count	2	8	12	51	45	118
			% within PLACE Assignment	1.7%	6.8%	10.2%	43.2%	38.1%	100.0%

My formal performance review is a worthwhile experience.

				Q18					Total
				1.00	2.00	3.00	4.00	5.00	
PLACE	1.00	Riverside	Count	11	4	20	21	8	64
			% within PLACE Assignment	17.2%	6.3%	31.3%	32.8%	12.5%	100.0%
	2.00	Other	Count	1	2	15	6	13	37
			% within PLACE Assignment	2.7%	5.4%	40.5%	16.2%	35.1%	100.0%
Total			Count	12	6	35	27	21	101
			% within PLACE Assignment	11.9%	5.9%	34.7%	26.7%	20.8%	100.0%

PDO staff members are open and honest with one another.

				Q21					Total
				1.00	2.00	3.00	4.00	5.00	
PLACE	1.00	Riverside	Count	12	17	26	14	8	77
			% within PLACE Assignment	15.6%	22.1%	33.8%	18.2%	10.4%	100.0%
	2.00	Other	Count	1	4	5	14	19	43
			% within PLACE Assignment	2.3%	9.3%	11.6%	32.6%	44.2%	100.0%
Total			Count	13	21	31	28	27	120
			% within PLACE Assignment	10.8%	17.5%	25.8%	23.3%	22.5%	100.0%

The PDO is respected in the Criminal Justice System.

			Q25					Total
PLACE	Count	Assignment	1.00	2.00	3.00	4.00	5.00	
1.00 Riverside	Count		12	21	17	18	2	70
	% within PLACE	Assignment	17.1%	30.0%	24.3%	25.7%	2.9%	100.0%
2.00 Other	Count		4	4	12	10	11	41
	% within PLACE	Assignment	9.8%	9.8%	29.3%	24.4%	26.8%	100.0%
Total	Count		16	25	29	28	13	111
	% within PLACE	Assignment	14.4%	22.5%	26.1%	25.2%	11.7%	100.0%

The PDO is respected in the Community.

			Q26					Total
PLACE	Count	Assignment	1.00	2.00	3.00	4.00	5.00	
1.00 Riverside	Count		13	22	22	11	4	72
	% within PLACE	Assignment	18.1%	30.6%	30.6%	15.3%	5.6%	100.0%
2.00 Other	Count		5	6	8	11	10	40
	% within PLACE	Assignment	12.5%	15.0%	20.0%	27.5%	25.0%	100.0%
Total	Count		18	28	30	22	14	112
	% within PLACE	Assignment	16.1%	25.0%	26.8%	19.6%	12.5%	100.0%

Managers and supervisors have the skills necessary for their jobs.

			Q29					Total
PLACE	Count	Assignment	1.00	2.00	3.00	4.00	5.00	
1.00 Riverside	Count		6	10	15	22	23	76
	% within PLACE	Assignment	7.9%	13.2%	19.7%	28.9%	30.3%	100.0%
2.00 Other	Count			2	10	10	24	46
	% within PLACE	Assignment		4.3%	21.7%	21.7%	52.2%	100.0%
Total	Count		6	12	25	32	47	122
	% within PLACE	Assignment	4.9%	9.8%	20.5%	26.2%	38.5%	100.0%

Management does a good job of matching job assignments with people's abilities.

			Q32					Total
PLACE 1.00 Riverside	Count		1.00	2.00	3.00	4.00	5.00	70
	% within PLACE Assignment		7.1%	17.1%	37.1%	25.7%	12.9%	100.0%
2.00 Other	Count		5	4	5	14	12	40
	% within PLACE Assignment		12.5%	10.0%	12.5%	35.0%	30.0%	100.0%
Total	Count		10	16	31	32	21	110
	% within PLACE Assignment		9.1%	14.5%	28.2%	29.1%	19.1%	100.0%

Everyone who does the kind of work I do shares equitably in the workload that I do.

			Q39					Total
PLACE 1.00 Riverside	Count		1.00	2.00	3.00	4.00	5.00	73
	% within PLACE Assignment		8.2%	13.7%	23.3%	31.5%	23.3%	100.0%
2.00 Other	Count		6	10	7	18	17	42
	% within PLACE Assignment		16.7%	42.9%	40.5%	100.0%		
Total	Count		6	10	24	41	34	115
	% within PLACE Assignment		5.2%	8.7%	20.9%	35.7%	29.6%	100.0%

Different Divisions cooperate with each other to get the job done.

			Q42					Total
PLACE 1.00 Riverside	Count		1.00	2.00	3.00	4.00	5.00	75
	% within PLACE Assignment		5.3%	9.3%	18.7%	52.0%	14.7%	100.0%
2.00 Other	Count		4	7	14	39	11	43
	% within PLACE Assignment		2.3%	4.7%	16.3%	27.9%	48.8%	100.0%
Total	Count		5	9	21	51	32	118
	% within PLACE Assignment		4.2%	7.6%	17.8%	43.2%	27.1%	100.0%

There are strong mentoring relationships in the PDO.

			Q49					Total	
			1.00	2.00	3.00	4.00	5.00		
PLACE 1.00	Riverside	Count	12	11	28	22	1	74	
		% within PLACE Assignment	16.2%	14.9%	37.8%	29.7%	1.4%	100.0%	
	2.00	Other	Count	4	9	6	13	10	42
		% within PLACE Assignment	9.5%	21.4%	14.3%	31.0%	23.8%	100.0%	
Total		Count	16	20	34	35	11	116	
		% within PLACE Assignment	13.8%	17.2%	29.3%	30.2%	9.5%	100.0%	

The PDO supports me in my professional development.

			Q50					Total	
			1.00	2.00	3.00	4.00	5.00		
PLACE 1.00	Riverside	Count	7	6	18	25	21	77	
		% within PLACE Assignment	9.1%	7.8%	23.4%	32.5%	27.3%	100.0%	
	2.00	Other	Count	2	3	11	10	18	44
		% within PLACE Assignment	4.5%	6.8%	25.0%	22.7%	40.9%	100.0%	
Total		Count	9	9	29	35	39	121	
		% within PLACE Assignment	7.4%	7.4%	24.0%	28.9%	32.2%	100.0%	

There are "factions" inside the PDO.

			Q68					Total	
			1.00	2.00	3.00	4.00	5.00		
PLACE 1.00	Riverside	Count	2	4	22	20	19	67	
		% within PLACE Assignment	3.0%	6.0%	32.8%	29.9%	28.4%	100.0%	
	2.00	Other	Count	6	7	8	7	6	34
		% within PLACE Assignment	17.6%	20.6%	23.5%	20.6%	17.6%	100.0%	
Total		Count	8	11	30	27	25	101	
		% within PLACE Assignment	7.9%	10.9%	29.7%	26.7%	24.8%	100.0%	

Inside "factions" are destructive.

			Q69					Total
			1.00	2.00	3.00	4.00	5.00	
PLACE 1.00	Riverside	Count	1	3	23	16	22	65
		% within PLACE Assignment	1.5%	4.6%	35.4%	24.6%	33.8%	100.0%
2.00	Other	Count	7	4	12	5	11	39
		% within PLACE Assignment	17.9%	10.3%	30.8%	12.8%	28.2%	100.0%
Total		Count	8	7	35	21	33	104
		% within PLACE Assignment	7.7%	6.7%	33.7%	20.2%	31.7%	100.0%