

## **RESOURCES FOR NEW ATTORNEYS ACCEPTING INDIGENT APPOINTMENTS**

Attorneys who have been practicing law for less than one year may have many questions about representing indigent clients, ranging from the elements of and punishments for crimes to how to get paid for their appointed work. The following is a list of resources that may be helpful to these new attorneys.

### 1. THE IDS WEBSITE ([www.ncids.org](http://www.ncids.org))

The IDS Office has developed an independent website that allows greater and more comprehensive communication with the bar, bench and public, and that enhances the resources available to defense attorneys across the State. Among other things, the website contains:

- ❖ *News & Updates*—The latest information on a variety of topics including the indigent defense budget, timing of attorney payments, and other recent developments and matters of interest.
- ❖ *IDS Office & Commission*—Contact information for the IDS staff, IDS Commission and committee membership lists, and minutes of all Commission meetings.
- ❖ *Forms & Applications*—Attorney and expert fee applications and electronic payment forms.
- ❖ *Rules & Procedures*—Rules of the IDS Commission, IDS policies by case type, attorney and expert fee and expense application policies, specialized performance guidelines (for non-capital criminal, juvenile delinquency, and parent representation), a model indigent appointment plan for non-public defender districts, and other IDS policies and procedures.
- ❖ *Reports & Data*—Studies and analyses conducted by the IDS Office to evaluate various aspects of indigent defense in North Carolina, as well as IDS' annual reports to the General Assembly.
- ❖ *Systems Evaluation Project*—Information about a project IDS has initiated to develop a data-based tool to evaluate the quality and performance of North Carolina's indigent defense systems on an ongoing and affordable basis.
- ❖ *State Defender Offices*—Contact information for the Office of the Appellate Defender, Office of the Capital Defender, and the many Public Defender Offices located throughout the State, as well as appointment plans for all of the public defender districts.
- ❖ *Juvenile Defender*—Information about the Office of the Juvenile Defender, including a mission statement, a statement about the role of defense counsel in delinquency proceedings, sample trial motions and forms, and relevant case law.
- ❖ *Parent Representation*—Information about the work of the Parent Representation Coordinator, including a mission statement, a brief bank, training and reference materials, and case law and legislative updates.
- ❖ *Defender Training Opportunities & Materials*—Descriptions of future IDS co-sponsored and other CLE training programs, a video training program on billing in

- appointed cases, past materials from IDS co-sponsored programs, and an index of all posted training materials by topic.
- ❖ *Defender Manual*—Free access to the North Carolina Defender Manual published by the North Carolina School of Government.
- ❖ *Other Manuals*—Free access to the North Carolina Commitment Manual, North Carolina Guardianship Manual, and North Carolina Immigration Consequences Manual, all published jointly by the North Carolina School of Government and the IDS Office, as well as an Innocence Inquiry Proceedings Manual.
- ❖ *Brief Bank*—An appellate brief bank maintained by the Office of the Appellate Defender.
- ❖ *Capital Trial Motions*—An index of sample trial motions for capital cases, organized by case phase.
- ❖ *Job Opportunities*—Information concerning job opportunities within IDS.

## 2. UNC SCHOOL OF GOVERNMENT (<http://www.sog.unc.edu>)

The UNC School of Government provides information, training, and publications for defense attorneys. Opportunities for training co-sponsored by the School of Government and IDS, as well as materials from past training, can be found on the IDS website. The School of Government provides many legal bulletins, case law summaries, and legislative analyses free for download or printing from its website. Some of the publications related to appointed legal work that the School of Government offers for purchase are:

- ❖ Clarke, Law of Sentencing, Probation & Parole in North Carolina
- ❖ Farb, North Carolina Crimes: A Guidebook on the Elements of Crime
- ❖ Farb, Arrest, Search, and Investigation in North Carolina
- ❖ Farb, Arrest, Warrant & Indictment Forms
- ❖ North Carolina Defender Manual, Volume One, Pretrial (bound)
- ❖ North Carolina Defender Manual, Volume Two, Trial (bound)
- ❖ Loeb & Drennan, Motor Vehicle Law and the Law of Impaired Driving
- ❖ Rubin, Loeb & Drennan, Punishments for North Carolina Crimes and Motor Vehicle Offenses
- ❖ Rubin, The Entrapment Defense in North Carolina
- ❖ Rubin, Law of Self-Defense in North Carolina
- ❖ Smith, Ineffective Assistance of Counsel Claims in North Carolina Criminal Cases
- ❖ State of North Carolina Extradition Manual
- ❖ For juvenile delinquency and parent attorneys: North Carolina Juvenile Code and Related Statutes Annotated
- ❖ For civil commitment attorneys: North Carolina Civil Commitment Manual

## 3. OTHER PUBLISHED RESOURCES

In addition to those materials published and sold by the School of Government, the following publications may be of interest [vendors noted in brackets]:

- ❖ Blakey, Loven & Weissenberger, North Carolina Evidence Courtroom Manual [LexisNexis]
- ❖ Brandis & Broun on North Carolina Evidence [LexisNexis]
- ❖ Gianelli & Imwinkelreid, Scientific Evidence [LexisNexis]
- ❖ Grimes Criminal Law Outline [The National Judicial College]
- ❖ LaFave, Israel & King, Criminal Procedure [West Group]
- ❖ LaFave, Search and Seizure [Thomson West]
- ❖ Mosteller, North Carolina Evidentiary Foundations [LexisNexis]
- ❖ North Carolina Criminal Law and Procedure [LexisNexis]
- ❖ North Carolina Motor Vehicle Laws [LexisNexis]

4. NC ACADEMY OF TRIAL LAWYERS (<http://ncatl.org>)

The NC Academy of Trial Lawyers, soon to be known as the NC Advocates for Justice, also publishes and sells publications and provides training seminars to assist defense attorneys. Membership in the Academy provides further benefits such as inclusion in e-mail listservs and attorney sections dedicated to particular areas of practice, access to the Academy membership directory, discounts on training, and a subscription to Trial Briefs, the Academy's legal journal.