

Survey of Public Defenders

This question helps us to confirm that this survey is right for you.

Screener Question 1:

In the last year, have you represented any of the following types of people in any state or local court as a public defender? We include attorneys working for nonprofit organizations providing defense representation, as well as those employed by public defender offices, in our definition of ‘public defender’.

		Yes	No
a.	An adult or juvenile person accused of a crime or delinquency	<input type="radio"/>	<input type="radio"/>
b.	An adult or juvenile person accused in a trial court of violating conditions of a sentence (e.g. violation of probation)	<input type="radio"/>	<input type="radio"/>

[If responses are all ‘No’]: You answered ‘No’ to both questions above, you don’t need to continue. Thank you for your time!

[If at least one response is ‘Yes’, continue to next question.]

Screener Question 2:

In your capacity as a public defender, are you an employee of a state or local government agency, or of a nonprofit organization?

- ☐ I am an employee of a state government agency
- ☐ I am an employee of a local (e.g. county or municipal) government agency
- ☐ I am employee of a nonprofit organization
- ☐ Something else, please specify: _____

SUPPLEMENTAL COVID QUESTIONS

Before we get started with the main survey, we have some questions about how your work may have changed due to the COVID-19 pandemic. We recognize the tremendous impact the pandemic has had. Your answers to these questions will help us to place your other answers in context. Thank you for your responses!

1. Were you working as a public defender in March 2020?
 - ☐ Yes, I was working in my current job as a public defender
 - ☐ Yes, I was working in a different job, but also as a public defender
 - ☐ No, I was working in a different job → **SKIP to 6**
 - ☐ No, I was not working in any job → **SKIP to 6**
 - ☐ Other, please specify: _____

2. Since March 2020, have you:

		Yes	No
a.	Been required to reduce your working hours	<input type="radio"/>	<input type="radio"/>
b.	Been furloughed	<input type="radio"/>	<input type="radio"/>
c.	Taken a leave of absence	<input type="radio"/>	<input type="radio"/>

3. Since March 2020, how has the frequency of client communication changed in each of the following categories? *Please consider home-incarcerated clients as 'non-incarcerated' for the purposes of this question.*

		N/A – I have never communicated with this type of client in this way	Occurs less often now than before the pandemic	Occurs the same amount now as before the pandemic	Occurs more often now than before the pandemic
a.	Telephone calls with incarcerated clients	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
b.	Mail or email with incarcerated clients	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
c.	Videoconference calls with incarcerated clients	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
d.	In person meetings with incarcerated clients	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
e.	Telephone calls with non-incarcerated clients	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
f.	Mail or email with non-incarcerated clients	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
g.	Videoconference calls with non-incarcerated clients	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
h.	In person meetings with non-incarcerated clients	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
i.	Communicating with clients for whom English is their second language	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

4. How have the following activities changed since March 2020?

		N/A – I have never engaged in this activity	Occurs less often now than before the pandemic	Occurs the same amount now as before the pandemic	Occurs more often now than before the pandemic
a.	Conduct client intake (by phone)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
b.	Retain an expert witness even if he or she did not testify	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
c.	Seek advice from a supervisor	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

d.	Seek a reduction in bail	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
e.	Seek written records (for example, school or medical records)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
f.	Use the services of an investigator	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
g.	Use the services of a social worker	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
h.	Visit the alleged crime scene	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
i.	Attend in-person training	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
j.	Attend online training	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
k.	Interview any potential witnesses other than the client, experts, or prosecution witnesses	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
l.	Request and conduct investigative field work	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
j.	Obtaining translator services for clients for whom English is a second language	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

5. What is the biggest challenge you face representing your clients during the COVID-19 pandemic?

YOUR WORK AS A PUBLIC DEFENDER

Please tell us about your work as a public defender. *Please note we are only concerned with your work as a public defender in criminal matters. The following questions are not intended to refer to work on non-criminal (e.g. dependency) matters, even where those matters concern indigent clients.*

- In what year did you pass the bar? *If you have passed the bar in multiple states, please tell us the year you passed for the first time.*
☐ WRITE IN: _____
- In what year did you first work as a public defender?
☐ WRITE IN: _____
- In what year did you begin your present job as a public defender?
☐ WRITE IN: _____
- In the last seven days, about how many hours did you work as a public defender, even if it was not typical? *You may estimate the number. Please exclude time spent on non-criminal (e.g. dependency) matters, even*

where those matters concern indigent clients. Include any evenings or weekends worked and round to the nearest hour.

☐ WRITE IN: _____

10. In the last seven days, how many hours did you spend in the following activities while working as a public defender, even if it was not typical? *You may estimate the numbers. Please exclude time spent on non-criminal (e.g. dependency) matters, even where those matters concern indigent clients.*

		Hours	None
a.	In court, in front of judge (including video court)		<input type="radio"/>
b.	In court, other activities (including video court)		<input type="radio"/>
c.	Out of court, meeting with client		<input type="radio"/>
d.	Out of court, meeting with prosecutors or probation officers		<input type="radio"/>
e.	Out of court, at jail or prison		<input type="radio"/>
f.	Out of court, other case-related activities (e.g. interviewing witnesses, investigating, office work)		<input type="radio"/>
g.	Management, supervision, or administrative oversight		<input type="radio"/>
h.	In training		<input type="radio"/>
i.	Traveling (including traveling to/from court, or jail)		<input type="radio"/>
	Total		

11. In the last seven days, about how many hours did you work **other than** as a public defender, even if it was not typical? *Include work as an attorney, including work on non-criminal matters concerning indigent clients. Also include work in any other capacity where you were compensated. Include any evenings or weekends worked and round to the nearest hour.*

☐ WRITE IN: _____

We would like to know how you are employed as a public defender.

12. As a public defender, are you currently required to do any of the following? *Select 'Required' or 'Not required'. If you do not know, select 'I don't know.'*

		Required	Not required	I don't know
a.	Meet with someone responsible for monitoring your work at least once a month	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
b.	Have a written performance review at least once a year	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
c.	Satisfy requirements beyond possession of a law license.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
d.	Take specific training prior to handling any cases	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
e.	Take additional training prior to handling more serious or complex cases	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

13. As a public defender, are you prohibited from taking cases on private retainer?

☐ Yes, I am prohibited from taking cases on private retainer
☐ No, I am not prohibited from taking cases on private retainer.

14. In the last year, have you supervised or managed other public defenders?

- ☐ Yes
- ☐ No

15. In the past year, have you received any training in the following areas?

		Have taken	Have not taken
a.	Adolescent development	<input type="radio"/>	<input type="radio"/>
b.	Appellate practice	<input type="radio"/>	<input type="radio"/>
c.	Bail/Bond advocacy	<input type="radio"/>	<input type="radio"/>
d.	Communicating effectively with your client	<input type="radio"/>	<input type="radio"/>
e.	Digital evidence	<input type="radio"/>	<input type="radio"/>
f.	Education law	<input type="radio"/>	<input type="radio"/>
g.	Ethics	<input type="radio"/>	<input type="radio"/>
h.	Forensic evidence	<input type="radio"/>	<input type="radio"/>
i.	Immigration law	<input type="radio"/>	<input type="radio"/>
j.	Implicit racial bias	<input type="radio"/>	<input type="radio"/>
k.	Jury selection	<input type="radio"/>	<input type="radio"/>
l.	Legal/legislative changes	<input type="radio"/>	<input type="radio"/>
m.	Opening/closing arguments	<input type="radio"/>	<input type="radio"/>
n.	Plea negotiation	<input type="radio"/>	<input type="radio"/>
o.	Representing juvenile clients	<input type="radio"/>	<input type="radio"/>
p.	Representing persons with mental illness	<input type="radio"/>	<input type="radio"/>

16. Thinking about your work as a public defender in the last year, how often were you assigned to represent clients for entire cases? By ‘entire cases’ we mean cases in trial courts beginning with the first hearing that could result in the client’s pretrial detention, and ending in disposition.

- ☐ Always entire cases
- ☐ Often entire cases
- ☐ Sometimes entire cases
- ☐ Seldom entire cases
- ☐ Never entire cases
- ☐ Does not apply, do not do trial court representation

17. How often are you able to speak confidentially with your public defender clients in the following locations?

		Always or often	Sometimes	Seldom or never
a.	Court	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
b.	Jail or prison	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
c.	Your office	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

18. Are your public defender clients who are incarcerated able to contact you without charge in any of the following ways? Check 'Yes' or 'No' for each.

		Yes	No
a.	Calling a toll-free number from their place of incarceration	<input type="radio"/>	<input type="radio"/>
b.	Making collect calls from their place of incarceration	<input type="radio"/>	<input type="radio"/>
c.	Videoconferencing from their place of incarceration	<input type="radio"/>	<input type="radio"/>
d.	By email from their place of incarceration	<input type="radio"/>	<input type="radio"/>
e.	Any other way, please specify _____	<input type="radio"/>	<input type="radio"/>

YOUR PUBLIC DEFENDER CASELOAD

This section is about the types and numbers of public defender cases that you handle.

- ☐ A felony, misdemeanor or juvenile delinquency case is defined as a charge or set of charges against a single defendant.
- ☐ When defendants face one or more charges in the same case, the highest charge determines whether the case is classified as a misdemeanor or a felony.
- ☐ Probation or parole violation cases should be counted separately from the category of the underlying case.
- ☐ An appellate case is defined as a single appeal in a single appellate court.
- ☐ A post-conviction case is defined as any case taking place after the resolution of a trial case other than an appeal.

19. How many public defender cases in the following categories do you have **open right now**, even if it is not typical? *You may estimate the numbers. Enter '0' if you do not have any current open cases in a category. Select 'N/A' if you do not handle that case type.*

		Cases open right now	N/A
a.	Adult Misdemeanors		<input type="radio"/>
b.	Adult Felonies		<input type="radio"/>
c.	Adult appellate		<input type="radio"/>
d.	Adult post-conviction		<input type="radio"/>
e.	Adult probation or parole violation		<input type="radio"/>
f.	Juvenile delinquency		<input type="radio"/>
g.	Juvenile appellate		<input type="radio"/>
h.	Juvenile post-conviction		<input type="radio"/>
i.	Juvenile probation or parole violation		<input type="radio"/>

20. How many **new** public defender cases in the following categories did you take **in the last seven days**, even if it was not typical? *You may estimate the numbers. Enter '0' if you do not have any current open cases in a category. Select 'N/A' if you do not handle that case type.*

		Cases opened last 7 days	N/A
a.	Adult Misdemeanors		<input type="radio"/>
b.	Adult Felonies		<input type="radio"/>
c.	Adult appellate		<input type="radio"/>
d.	Adult post-conviction		<input type="radio"/>
e.	Adult probation or parole violation cases		<input type="radio"/>
f.	Juvenile delinquency		<input type="radio"/>
g.	Juvenile appellate		<input type="radio"/>
h.	Juvenile post-conviction		<input type="radio"/>
i.	Juvenile probation or parole violation		<input type="radio"/>

21. Are you presently providing representation as a public defender in any case in the following categories?
Select 'N/A' if you do not handle that case type.

		Yes	No	N/A
a.	Client facing capital charges	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
b.	Client in specialty court or docket (e.g., drug, homeless, veterans, mental health, domestic violence)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
c.	Client accused of failure to pay a fine or fee	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

22. Are your caseloads as a public defender capped by any law, rule, or other policy?

- ☐ Yes
☐ No → **SKIP to 24**

23. Is the law, rule, or other policy capping your caseloads enforced?

- ☐ Always
☐ Sometimes
☐ Never

24. Are you currently able to request to decline case assignments on the basis that you already have too many cases?

- ☐ Yes
☐ No → **SKIP to 27**
☐ I don't know

25. In the past year, did you ever request to decline a case assignment on the basis that you already had too many cases?

- ☐ Yes
☐ No → **SKIP to 27**
☐ N/A

26. In the past year, did you ever successfully decline a case assignment on the basis that you already had too many cases?

- ☐ Yes
☐ No

☐ N/A

WORKING WITH CLIENTS AS A PUBLIC DEFENDER.

This section asks about the most recent entire case that you closed as a public defender in a criminal trial court within the last year.

A closed case is defined as a charge or set of charges against a single defendant disposed on a single day. By 'entire case', we mean the period from the first hearing that could result in pretrial detention to disposition. Please do not consider probation and parole violation cases to be 'entire cases'.

27. As a public defender, have you closed at least one case within the last year where you represented the client in criminal trial court for the entire case?

- ☐ Yes
☐ No → **SKIP to 48**

Think of the most recent entire case that you closed as a public defender in a criminal trial court when answering the questions in this section.

It is important for statistical purposes that you tell us about your most recent case, even if it was not typical.

Please do not include details that could allow us to identify the participants.

28. Was this case a “typical” case for you?

- ☐ Yes
☐ No

Please describe why or why not. (This question is open-ended.)

29. What type of case was it?

- ☐ Adult misdemeanor
☐ Adult felony
☐ Juvenile delinquency
☐ Something else, please specify: _____ → **SKIP to 48**

30. Did this case involve any of the following types of allegations, whether at the misdemeanor or felony level?
Select 'Yes' or 'No' for each option.

		Yes	No	I don't know
a.	Violent offenses, such as murder, robbery, assault (excluding sex offenses below).	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
b.	Sex offenses, such as rape, sexual assault, sexual conduct with a minor, indecent exposure.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
c.	Property offenses, such as burglary, arson, larceny, motor vehicle theft.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
d.	Drug offenses, such as possession, use, sale or furnishing of a drug or intoxicating substance or drug paraphernalia prohibited by law	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
e.	Weapons offenses, such as possession, carrying, use, sale or manufacture of weapons prohibited by law	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
f.	Serious driving offenses, such as driving under the influence of alcohol, driving with license revoked, driving resulting in an accident/injury, reckless driving (excluding motor vehicle theft).	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
g.	Domestic and family violence offenses	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
h.	Other, please specify: _____	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

31. Which, if any, of the following types of evidence existed in the case, to the best of your knowledge?

		Yes	No	I don't know
a.	Ballistics evidence	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
b.	Blood test evidence	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
c.	Cell phone evidence	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
d.	DNA evidence	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
e.	Electronic/computer forensic evidence	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
f.	Eyewitness evidence	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
g.	Fingerprint evidence	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
h.	Police dashcam or body camera evidence	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
i.	Social media evidence	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
j.	Video evidence other than police dashcam or body camera evidence (e.g., CCTV)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
k.	Other, please specify: _____	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

32. Was the client Spanish, Hispanic, or Latino?

- ☐ Yes
- ☐ No
- ☐ I don't know

33. What was the client's race? *Mark all that apply.*

- ☐ White
- ☐ Black or African American
- ☐ American Indian or Alaska Native
- ☐ Asian
- ☐ Native Hawaiian or other Pacific Islander
- ☐ I don't know

34. What was the client's sex? *Check one.*

- ☐ Male
- ☐ Female
- ☐ I don't know

35. Was English the client's first language?

- ☐ Yes
- ☐ No
- ☐ I don't know

36. What was the client's age when the case was closed?

- ☐ Under 13 years
- ☐ 13-14
- ☐ 15-17
- ☐ 18-24
- ☐ 25-34
- ☐ 35-49
- ☐ 50-64
- ☐ 65 and older
- ☐ I don't know

37. How long was the interaction with your client the first time that you met him or her?

- ☐ Under 5 minutes
- ☐ 5-14 minutes
- ☐ 15-29 minutes
- ☐ 30-59 minutes
- ☐ An hour or more
- ☐ I don't know

38. Did you represent this client at his or her first court appearance in this case?

- ☐ Yes
- ☐ No
- ☐ Not applicable
- ☐ I don't know

39. Please indicate below whether you made any of the following types of motions in the case. *Select 'Yes' or 'No' for each option.*

		Yes, motion made	No motion made
a.	Pretrial motion (including motions filed routinely, e.g. for discovery or bond)	<input type="radio"/>	<input type="radio"/>
b.	Motion <i>in limine</i>	<input type="radio"/>	<input type="radio"/>
c.	Post-trial motion	<input type="radio"/>	<input type="radio"/>

40. Did you or a member of the defense team do any of the following? *Select 'Yes' or 'No' for each option.*

		Yes	No	N/A
a.	Interview any potential witnesses other than the client, experts, or prosecution witnesses	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
b.	Retain an expert witness even if he or she did not testify	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
c.	Seek advice from a supervisor	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
d.	Seek a reduction in bail	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
e.	Seek written records (for example, school or medical records)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
f.	Use the services of an investigator	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
g.	Use the services of a social worker	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
h.	Visit the alleged crime scene	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

41. Was the client incarcerated pretrial, even if only briefly?

- ☐ Yes, incarcerated entire pretrial period
- ☐ Yes, incarcerated initially but released for remainder of pretrial period
- ☐ Yes, incarcerated initially then released, and incarcerated again (e.g., for pretrial violation or new arrest)
- ☐ No
- ☐ I don't know

42. Did any of the following happen during the case?

		Yes	No	I don't know	N/A
a.	Defense was provided with discovery material	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
b.	Client was diverted to a drug or alcohol treatment program	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
c.	Client was diverted to a mental health treatment program	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
d.	Client's case was referred to a problem-solving court	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
e.	Case went to trial	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

43. How many times, in total, did you communicate with the client in person, by phone, by video conference, or in writing prior to the resolution of the case? *You may estimate the number.*

- ☐ WRITE IN: _____
- ☐ I don't know

44. How many times, in total, did you communicate with the prosecutor or prosecution agency in person, by phone, by video conference, or in writing prior to the resolution of the case? *You may estimate the number.*

- ☐ WRITE IN: _____
- ☐ I don't know

45. How long, in total, were you assigned to the case? *You may estimate the time.*

- ☐ WRITE IN: _____ ☐ days ☐ weeks ☐ months
☐ I don't know

46. How was the case closed?

- ☐ The client pled guilty to the top charge
☐ The client pled guilty to a lesser charge
☐ The client was convicted at trial of the top charge
☐ The client was convicted at trial of a lesser charge
☐ The client was found not guilty at trial
☐ The case was dismissed
☐ Something else, please specify: _____
☐ I don't know

47. Which, if any, of the following consequences resulted immediately from this case for this client? *Select 'Yes' or 'No' for each option. If you do not know, select 'I don't know'.*

		Yes	No	I don't know
a.	Detainer lodged by Immigration and Customs Enforcement (ICE)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
b.	Driving license suspended/revoked	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
c.	Employment license suspended/revoked	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
d.	Fines and/or fees imposed	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
e.	Gun license suspended/revoked	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
f.	Order of protection imposed	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
g.	Referral to child welfare agency	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
h.	Restitution imposed	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
i.	Required to register as a sex offender	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
j.	Sentenced to community service	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
k.	Sentenced to custody	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
l.	Sentenced to probation	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
m.	Other, please specify: _____	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

WORKING CONDITIONS

The questions in this section ask about the benefits, compensation and other conditions of your work as a public defender.

48. Does your work as a public defender include the following benefits? *Select 'Yes' or 'No' for each benefit. If you do not know if the benefit is included, select 'I don't know'.*

		Yes	No	I don't know
a.	Financial support for attending training programs	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
b.	Financial support for membership in professional organizations	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
c.	Financial support for travel expenses associated with work	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
d.	Health insurance	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

e.	Paid sick days	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
f.	Paid family medical leave (e.g., maternity leave)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
g.	Paid vacation days	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
h.	Retirement benefits	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
i.	Student loan repayment	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
j.	Other, please specify: _____	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

49. Does your work as a public defender provide you with the following resources? *If a resource is provided but you choose not to use it, please check 'Yes'.*

		Yes	No	I don't know
a.	A cell phone, or cell phone subsidy	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
b.	A computer or a laptop	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
c.	Access to a mitigation specialist	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
d.	Access to a social worker	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
e.	Access to an investigator	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
f.	Access to experts in forensic sciences	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
g.	Access to experts in computer technology	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
h.	Access to media equipment, e.g. video playback equipment, cameras	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
i.	Access to printing facilities	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
j.	Access to LexisNexis, WestLaw, or other legal search engine	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
k.	Administrative staff assistance	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
l.	Office space	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

50. In the last year, has being a public defender gotten in the way of your home or family life?

- ☐ Yes, always
- ☐ Yes, often
- ☐ Yes, sometimes
- ☐ Yes, rarely
- ☐ No, never

51. On at least an annual basis, do you do any of the following? *Please select 'Yes' or 'No' for each option.*

		Yes	No
a.	Conduct training of attorneys or other professionals	<input type="radio"/>	<input type="radio"/>
b.	Make media appearances	<input type="radio"/>	<input type="radio"/>
c.	Represent public defenders in bar association activities	<input type="radio"/>	<input type="radio"/>
d.	Represent public defenders in any other context (e.g. civic groups, community centers)	<input type="radio"/>	<input type="radio"/>
e.	Speak in classes at a school, law school, or college	<input type="radio"/>	<input type="radio"/>
f.	Write for publications (e.g., law journals, newspapers, magazines)	<input type="radio"/>	<input type="radio"/>

52. If the decision were up to you, approximately how much longer would you like to continue doing public defender work?
- ☐ I am already looking for another position
 - ☐ Less than a year
 - ☐ 1-2 years
 - ☐ 3-5 years
 - ☐ More than 5 years
-

YOUR DEMOGRAPHICS

53. What is your age?
- ☐ 24 or younger
 - ☐ 25-34
 - ☐ 35-49
 - ☐ 50-64
 - ☐ 65 or older
54. Are you Spanish, Hispanic, or Latino?
- ☐ Yes
 - ☐ No
55. What is your race? *Mark all that apply.*
- ☐ White
 - ☐ Black or African American
 - ☐ American Indian or Alaska Native
 - ☐ Asian
 - ☐ Native Hawaiian or other Pacific Islander
56. What is your sex? *Check one.*
- ☐ Male
 - ☐ Female
57. What amount, if any, do you currently owe in student loan debt? *Check one.*
- ☐ I do not have any student loan debt
 - ☐ \$1 - \$24,999
 - ☐ \$25,000 - \$49,999
 - ☐ \$50,000 - \$74,999
 - ☐ \$75,000 - \$99,999
 - ☐ \$100,000 - \$124,999
 - ☐ \$125,000 - \$149,999
 - ☐ \$150,000 - \$174,999
 - ☐ \$175,000 - \$199,999
 - ☐ Over \$200,000
 - ☐ Prefer not to answer
58. What was your 2020 salary, before taxes, from your work as a public defender?
- ☐ Nothing
 - ☐ \$1 - \$19,999

- ☐ \$20,000 - \$39,999
- ☐ \$40,000 - \$59,999
- ☐ \$60,000 - \$79,999
- ☐ \$80,000 - \$99,999
- ☐ \$100,000 or more
- ☐ Prefer not to answer

59. What is the most rewarding thing about working as a public defender?

60. What is the biggest challenge to working as a public defender?

61. Is there anything else you think we should know about your work as a public defender?

THANK YOU!

Public Defender Office Survey

Please answer the following three questions for your office and complete the attached roster.

Question 1:

Public defender offices come in various types. Which of the following best describes your office?

A state government agency ☐

A local (e.g. county or municipal) government agency ☐

A nonprofit organization ☐

Something else, please specify: _____ ☐

Question 2:

Please report the total number of new cases opened in 2020 in your office in the following categories.

- A felony, misdemeanor or juvenile delinquency case is defined as a charge or set of charges against a single defendant.
- When defendants face one or more charges in the same case, the highest charge determines whether the case is classified as a misdemeanor or a felony.
- An appellate case is defined as a single appeal in a single appellate court.
- A post-conviction case is defined as any case taking place after the resolution of a trial case other than an appeal.

Please either indicate the number of cases, or select 'N/A' if your office does not handle that type of case.

Capital cases ☐ N/A

Adult misdemeanors ☐ N/A

Adult felonies ☐ N/A

Adult appellate cases ☐ N/A

Adult post-conviction cases ☐ N/A

Juvenile delinquency ☐ N/A

Juvenile appellate cases ☐ N/A

Juvenile post-disposition cases ☐ N/A

We would like to collect a roster of all the attorneys in your offices who are assigned to represent criminal defendants. We will use this list to randomly select some attorneys to receive a survey about their work experience. This list will only be used for statistical purposes and will be kept confidential.

Please list attorney personnel on staff as of January 1, 2021.

- Please do *not* count contract attorneys, but only W-2 eligible attorneys.
- Please do *not* count any non-attorney employees.
- Please include both part- and full-time employees.

[illegible]

**ATTACHMENT C. FRAME 1 AND 2 ROSTER AND OFFICE SURVEY REQUEST
EMAIL SCRIPTS**

Attachment C.1: Initial email to Frame 1 leaders

Hello (NAME),

After much work and planning (and a pandemic to adjust for!), the Bureau of Justice Statistics (BJS), with the Urban Institute and the National Association for Public Defense (NAPD), are ready to pilot our defender-driven survey (entitled Survey of Public Defenders)! This is not only BJS's first survey of public defenders, but also the first time that BJS has shifted from surveying defender *systems* to surveying the defenders *themselves*. NAPD and the Urban Institute are proud to have convened an expert panel of public defenders diverse in system type and specialization, collected perspectives from the client community through the engagement of participatory defense hubs, and conducted extensive survey review with randomly selected public defenders in order to develop a survey that captures a meaningful set of data - and should be fun to take! The goal of the pilot is to understand whether the survey captures the information that we want it to and to quantify the amount of effort that is required to achieve a very high response rate.

This pilot is being tested in 5 statewide public defense systems and a sample of county-administered systems; your system is one of the five systems that is selected. **In order to participate, we are asking that you answer three questions about your office and share with us a roster of every W2 wage-earning lawyer in your system. In addition to attorney names, we will need to know how to contact them (e.g. email and phone numbers).** We will not share this information with anyone outside of our team. This list should NOT include attorneys who work exclusively in municipal or family court (if that applies).

You can complete the three-question survey and provide the roster by going to <<URL>>.

Once you share the list with us, we will randomly select 20 lawyers to receive the survey. The survey will be sent to each attorney via the email address that you provide (there is also an option to have a paper copy mailed), and we will ask that they complete the survey within 3 weeks of receiving it. The survey itself should take less than 20 minutes to complete and requires no research/looking up/report running. It does not ask questions about systems; it asks questions about the individual attorney's demographics, resources, and last closed case.

A copy of the survey your sampled attorneys will be asked to complete is at <<URL>>. There will be no data tabulations generated from the pilot responses (the sample size is too small to yield credible data), but we will be tracking response rates and we will be providing survey takers with the opportunity to make comments or have a brief follow-up phone call.

[THIS PARAGRAPH GETS INCLUDED FOR THE SURVEY SAMPLE THAT ENGAGES LEADERSHIP, AND OMITTED FOR THE ONE THAT DOES NOT]. We hope that you (and/or your district leaders) will lend your support for the project by encouraging participation in this survey and we are conducting an experiment to see if office leadership endorsement increases the survey response rate. If you are willing to do endorse the survey, please let me know by reply e-mail and if your office is selected as part of the experiment, I will provide you with draft text (that you can edit) endorsing participation in the survey.

If you would prefer we work with someone else in your office to complete the short survey and/or provide the roster, please forward this email or connect me to the staff in your office who can work with me. If you are an NAPD member, it may suffice to simply export your roster from there. I will be happy to cc you on our communication if you would like to stay apprised.

We are truly indebted to you for your support of this project, and we want to make this as minimally burdensome for your staff as possible while maximizing our collective access to better, more relevant public defense data across the country.

Thanks again,
Heather

Attachment C.2: Initial email to Frame 2 leaders

Hello [NAME],

After much work and planning (and a pandemic to adjust for!), the Bureau of Justice Statistics (BJS), with the Urban Institute and the National Association for Public Defense (NAPD) are ready to pilot our defender-driven survey (entitled Survey of Public Defenders)! This is not only BJS's first national survey of public defenders, but also the first time that BJS has shifted from surveying defender *systems* to surveying the defenders *themselves*. NAPD and the Urban Institute are proud to have convened an expert panel of public defenders diverse in system type and specialization, collected perspectives from the client community through the engagement of participatory defense hubs, and conducted extensive survey review with randomly selected public defenders in order to develop a survey that captures a meaningful set of data - and should be fun to take! The goal of the pilot is to understand whether the survey captures the information that we want it to and to quantify the amount of effort that is required to achieve a very high response rate.

This pilot is being tested in 25 county-administered public defense systems in the country and 5 statewide public defense systems; your system is one of the 25 systems that is selected. **In order to participate, we are asking that you answer three questions about your office and share with us a complete roster of every W2 wage earning lawyer in your office. In addition to attorney names, we will need to know how to contact them (e.g. email and phone numbers).** We will not share this information with anyone outside of our team. This list should NOT include attorneys who work exclusively in municipal or family court (if that applies).

You can complete the three-question survey and provide the roster by going to <<URL>>.

Once you share the list with us, we will randomly select **a subset of** lawyers to receive the survey. The survey will be sent to each attorney selected via the email address that you provide (there is also an option to have a paper copy mailed), and we will ask that they complete the survey within 3 weeks of receiving it. The survey itself should take less than 20 minutes to complete and requires no research/looking up/report running. It does not ask questions about systems; it asks questions about the individual attorney's demographics, resources, and last closed case.

A copy of the survey your sampled attorneys will be asked to complete is at <<URL>>. There will be no data tabulations generated from the pilot responses (the sample size is too small to yield credible data), but we will be tracking response rates and we will also be providing survey takers with the opportunity to make comments or have a brief follow-up phone call.

[THIS PARAGRAPH GETS INCLUDED FOR THE SURVEY SAMPLE THAT ENGAGES LEADERSHIP AND OMITTED FOR THE ONE THAT DOES NOT]. We hope that you (and/or your district leaders) will lend your support for the project by encouraging participation in this survey and we are conducting an experiment to see if office leadership endorsement increases the survey response rate. If you are willing to do endorse the survey, please let me

know by reply e-mail and if your office is selected as part of the experiment, I will provide you with draft text (that you can edit) endorsing participation in the survey.

If you would prefer we work with someone else in your office to complete the short survey and/or provide the roster, please forward this email or connect me to the staff in your office who can work with me. If you are an NAPD member, it may suffice to simply export your roster from there. I will be happy to cc you on our communication if you would like to stay apprised.

We are truly indebted by your support of this project, and we want to make this as minimally burdensome for your staff as possible while maximizing our collective access to better, more relevant public defense data across the country.

Thanks again,
Heather

Attachment C.3: Follow-up email requesting office-wide survey info

Dear [NAME]

A couple of weeks ago, we contacted you about your office's participation in a nationwide pilot test of the Survey of Public Defenders, developed by the Bureau of Justice Statistics (BJS), Urban Institute, and the National Association for Public Defense (NAPD). The survey was developed with a team of experts - that is, of course, actual public defense practitioners - and incorporated feedback from numerous participatory defense hubs around the country.

Your office was selected to be part of the pilot. All we need from you is some limited staff information and caseload and demographic information about your office. All of this information can be provided by going to <<URL>>:

We hope that you will provide this information by close of business on DATE, so we can survey a sample of your attorneys as part of this important pilot test.

We expect that the total burden to complete these surveys is 60 minutes and we appreciate your support in our project to deliver this first-ever, national, defender-driven data set for public use.

Stay well in these challenging times!

Thanks,
H

Attachment D. SPD Pilot Test Recruitment Schedule

<i>Timeline</i>	<i>Type of Contact</i>	<i>Method</i>	<i>Target</i>	<i>Lead</i>
Week 1	Everyone: Initial/Introduction – <i>ask respondents to complete the survey within 3 weeks</i> TG2: Letter of support from orgs TG3: Letter of support from orgs	Email	Full sample	Urban
Week 2	Follow-up – <i>reminder to complete the survey by next week</i>	Email	Nonresponders	Urban
Week 3	Follow-up – <i>reminder that the survey is due this week</i> TG2: Letter of support from chiefs/head of office TG3: Letter of support from justice-involved/impacted individual org	Email	Nonresponders	Urban
Week 4	Nonresponse follow-up	Phone (into Week 5)	Nonresponders	NAPD
Week 5	Nonresponse follow-up	Mail	Nonresponders	Urban
Week 6	Nonresponse follow-up	Email	Nonresponders	Urban
Week 7				
Week 8	Nonresponse follow-up	Email	Nonresponders	Urban
Week 9	Nonresponse follow-up	Mail	Nonresponders	Urban
Week 10	Nonresponse follow-up	Phone	Nonresponders	NAPD
Week 11				
Week 12	Nonresponse follow-up	Email	Nonresponders	Urban
Weeks 2-12	Thank you email	Email	All responders	Urban
Week 3-4	Cognitive interviews with <i>early responders</i>	Phone to 6	Early responders	Urban, NAPD
Week 9-11	Cognitive interviews with <i>late responders</i>	Phone to 10	Late responders	Urban, NAPD
Week 12	Cognitive interviews with <i>nonresponders</i>	Phone to 10	Nonresponders	Urban, NAPD

SPD Survey Debriefing Interview

Hello, my name is _____ and I'm calling from Urban Institute/NAPD/Deason about the survey for public defenders that you recently completed.

Is this still a good time to talk? [If not, reschedule while on the phone]

Great, we just have a few questions about your experience taking the survey. Your participation in this interview is voluntary. We will not share your responses with anyone, and no one will know that you completed this survey. Your responses today will only be used to revise the survey and our outreach strategy to make it better.

Do you have any questions before we proceed?

Early responders

1. Thanks for completing the survey so quickly! What influenced your decision to complete the survey?
2. Was there anything in particular that influenced your decision to complete the survey now, versus later?
3. Was there anything more that we could have done to motivate you to complete the survey?
4. Did you understand the purpose of the survey?
5. Did you find the survey easy to take?
6. Was there anything hard or confusing about the survey?
7. If we were to administer the survey to attorneys across the U.S. how do you think the data will be important to public defenders?
8. What would you like to see done with that data?
9. Some individuals will not take the survey as quickly as you do, or maybe at all. Is there anything that you think that we can do to motivate others to take the survey?
10. Generally, are there any other changes that you think that we should make, either to the survey itself or to how we engage with attorneys about the survey?
11. Did we have the best contact info for you (phone, email, address)?
12. Did you get our various follow-ups, by phone, email & hard-copy?

Late responders

1. Thank you so much for taking the survey! What influenced your decision to complete the survey?
2. It seems that it did take you awhile to complete the survey. Is there a reason that you did not complete it sooner?
3. Was there anything more that we could have done to motivate you to complete the survey?
4. Did you understand the purpose of the survey?
5. Did you find the survey easy to take?
6. Was there anything hard or confusing about the survey?
7. If we were to administer the survey to attorneys across the U.S. how do you think the data will be important to public defenders?
8. What would you like to see done with the data?

9. Some individuals will not take the survey at all. Is there anything that you think that we can do to motivate others to take the survey?
10. Generally, are there any other changes that you think that we should make, either to the survey itself or to how we engage with attorneys about the survey?
11. Did we have the best contact info for you (phone, email, address)?
12. Did you get our various follow-ups, by phone, email & hard-copy?

Non-responders

1. We noticed that you did not take our survey! What influenced your decision to not to complete the survey?
2. Was there anything more that we could have done to motivate you to complete the survey?
3. Did you understand the purpose of the survey?
4. If we were to administer the survey to attorneys across the U.S. do you think that the data would be important to publicly appointed defense attorneys?
5. What would you like to see done with the data?
6. Is there anything that you think that we can do to motivate others to take the survey?
7. Generally, are there any other changes that you think that we should make, either to the survey itself or to how we engage with attorneys about the survey?
8. Did we have the best contact info for you (phone, email, address)?
9. Did you get our various follow-ups, by phone, email & hard-copy?

ATTACHMENT F. SPD RECRUITMENT SCHEDULE AND COMMUNICATION SCRIPTS

The following table lays out all contacts the team will have with prospective respondents. Letters in square brackets (e.g. “[A]”) refer to documents that can be found in the pages that follow.

Attachment D. SPD Pilot Test Recruitment Schedule

<i>Timeline</i>	<i>Type of Contact</i>	<i>Method</i>	<i>Target</i>	<i>Lead</i>
Week 1	Everyone: Initial/Introduction – <i>ask respondents to complete the survey within 3 weeks</i> [A] TG2: Letter of support from orgs [B] TG3: Letter of support from orgs [B]	Email	Full sample	Urban
Week 2	Follow-up – <i>reminder to complete the survey by next week</i> [C]	Email	Nonresponders	Urban
Week 3	Follow-up – <i>reminder that the survey is due this week</i> [D] TG2: Letter of support from chiefs/head of office [E] TG3: Letter of support from justice-involved/impacted individual org [F]	Email	Nonresponders	Urban
Week 4	Nonresponse follow-up [G]	Phone (into Week 5)	Nonresponders	NAPD
Week 5	Nonresponse follow-up [H]	Mail	Nonresponders	Urban
Week 6	Nonresponse follow-up [I]	Email	Nonresponders	Urban
Week 7				
Week 8	Nonresponse follow-up [J]	Email	Nonresponders	Urban
Week 9	Nonresponse follow-up [K]	Mail	Nonresponders	Urban
Week 10	Nonresponse follow-up [L]	Phone	Nonresponders	NAPD
Week 11				
Week 12	Nonresponse follow-up [M]	Email	Nonresponders	Urban
Weeks 2-12	Thank you email [N]	Email	All responders	Urban
Week 3-4	Cognitive interviews with <i>early responders</i>	Phone to 6	Early responders	Urban, NAPD
Week 9-11	Cognitive interviews with <i>late responders</i>	Phone to 10	Late responders	Urban, NAPD
Week 12	Cognitive interviews with <i>nonresponders</i>	Phone to 10	Nonresponders	Urban, NAPD

[A] Week 1: Everyone: Initial/Introduction

Dear [insert name],

We are writing to you today to ask for your participation in the pilot study of the first-ever national survey of public defenders conducted by the Bureau of Justice Statistics.

You can complete the survey by clicking here: [insert link]

Until now, all public defense surveys have asked questions of systems, not defenders. We are thrilled to be the team to develop this survey and implement this shift so that this huge cache of public defense data will be informed by you – the public defense expert.

This survey was developed by public defenders (with input from the client community) for public defenders. It will take about 20 minutes of your time. You won't need to look anything up and all questions should be easy to answer. The questions are about the things you do every day: your activities; the resources available to you (training, staff, technology, etc.); the challenges/rewards/compensation/benefits that go with the work; basic demographics; and, the advocacy needs of your clients.

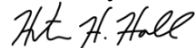
We know that you are busy, but we can't get meaningful data without your participation! We hope that you will complete this survey to advance appreciation of your important work, inspire criminal justice reform, and support the day-in, day-out work that you do on behalf of your clients.

Of course, participation is voluntary and your response will remain totally confidential. Your name and contact information will never be associated with the answers you submit, and any research or reports that are produced will not be traceable back to you.

Thank you for the services that you provide to your clients on a daily basis!

We have attached some additional information about this project. Also, please do not hesitate to reach out with any questions at defendersurvey@urban.org.

Sincerely and on behalf of our project team,



Heather Hall
Engagement Director, NAPD

PS – If you would prefer a paper survey, we are happy to mail one, just reply to request!

[B] Week 1: Everyone: Letter of Support from Orgs

Dear [insert name],

We are writing to you today to encourage you to participate in the pilot study of a first-of-its-kind national survey of public defenders (SPD).

Information about public defenders is critically needed to: 1) Accurately understand the work that you do; 2) Leverage meaningful conversations about the value of the services that you provide, and; 3) Identify funding, resource, and other reform needs to support your work.

The data generated will define the diversity and overlap of professional experiences of public defenders and the services that are provided to clients, as well as inform research and policy discussions in the following areas:

- Defender compensation
- Access to investigators and social workers
- Public defense oversight
- Barriers to providing defense services to clients
- Defender workloads
- Client needs
- Access to training opportunities
- Professional-personal challenges

Together, this information will advance understanding of your work, inspire improvements in justice systems around the country, and support the work that you do on behalf of your clients.

Though the missions and memberships of the organizations listed below are diverse, we are universally excited about the information that you can offer to build a national understanding of public defense and inform conversations about public defense reform and funding needs.

Thank you for the services that you provide and for participating in this survey! We are grateful for the many ways that it will allow us to more effectively advocate for improvements for lawyers representing indigent adults and juvenile individuals across the country.

Sincerely,

Gideon's Promise

National Association of Criminal Defense Lawyers

National Legal Aid & Defender Association



[C] Week 2: Everyone: Follow-up

Dear [insert name],

About a week ago, we sent you a letter about a Survey of Public Defenders (SPD) pilot test, sponsored by the U.S. Department of Justice, Bureau of Justice Statistics.

Please complete the survey in the next two weeks. You can complete the survey by clicking here: [insert link]

Your response is extremely valuable to our effort to pilot the first-ever national survey of public defenders, and we want to ensure that we reflect your unique experiences in this survey.

Your participation in this survey is voluntary and confidential. Your responses will not be shared with anyone outside of our research team, and you can refuse to answer questions or stop the survey at any time.

We have attached some additional information about this project. If you have any questions about how to complete or submit this survey, please e-mail defendersurvey@urban.org or call us toll-free at [insert phone number]. Thank you in advance for your participation in this important pilot study.

Sincerely,

[D] Week 3: Everyone: Follow-up

Dear [insert name],

Two weeks ago, we emailed you about participating in the pilot study of the first-ever National Survey of Public Defenders, sponsored by the U.S. Department of Justice, Bureau of Justice Statistics.

You may complete the survey by following this link: [link to survey]

If you would prefer a paper survey to be mailed to you, please email defendersurvey@urban.org to request one.

We ask that you please complete the survey by [insert date/7 days]. Your response is extremely valuable because the federal government has never before funded research for public defense that surveys defenders themselves. We want to ensure that we reflect your unique experiences in this survey. The survey should take you 20 minutes or less to complete, won't require you to look anything up, and asks highly relevant questions about your daily work.

Your participation in this survey is voluntary and confidential. Your responses will not be shared with anyone outside of our research team, and you can refuse to answer questions or stop the survey at any time.

We have also attached some additional information about this project if you are interested.

Sincerely,

[E] Week 3: TG2: Letter of Support from Chiefs/Head of Office

Defenders (assume this would be sent office wide),

Several attorneys in this office were randomly selected to participate in a first-of-its-kind “Survey of Public Defenders” from around the country. To preserve the methodology of the selection, I don’t know who received it, but if you received the survey from (ID THE EMAIL HERE), I am writing to ask you to complete it as soon as you can. Please check your email if you’re not sure.

Until now there has been *no* effort to collect information from defenders about the work that they do on the scale this survey contemplates. Our office, as well as public defense systems around the country, is eager for the data it will yield. It is critically important that our work is described by those of us actually doing that work. Just like in court, we are the voice of our clients and we are the experts on the successes and failures of our criminal justice system.

The survey was developed by your public defender colleagues. It should take less than 20 minutes of your time and can be done online (or you can request a hard copy if you prefer). You won’t need to look anything up and all questions should be easy to answer. Be assured that your responses will remain totally confidential. Your name and contact information will never be associated with the answers you submit – not to me or anyone - and any research or reports that are produced will not be traceable back to you.

I am grateful that the Bureau of Justice Statistics has resourced a survey that gives you the opportunity to describe your work and its challenges, and I urge you to complete the survey at your earliest convenience so that we can collectively benefit from the data it yields.

I believe that this survey will paint the most accurate picture of public defense in America that exists to date, and I cannot wait to see what it looks like. I’m glad our office was selected and I appreciate you submitting your response if you were asked to take the survey.

Thanks,
Office Head

[F] Week 3: TG3: Letter of Support from Justice-Involved Organization

Dear Defender,

Voice of the Ex-Offender (VOTE) is a growing network of currently incarcerated people, formerly incarcerated people (FIP) and their loved ones. We strategically develop formerly incarcerated leaders to be the champions of our reforms through community education, civic engagement, and policy advocacy.

We are the people who know the trauma of incarceration firsthand. We have a first-hand view of our criminal justice system and a personal perspective on the state of public defense. The most important thing we know about you as a public defender is that you're busy. Trust us, we know. And having had lawyers fight (or sometimes, be too overwhelmed to fight) for our liberty by working on our cases, we wouldn't ask you to take time away from your clients unless it was important.

We believe that our criminal justice system is broken and one of the ways it is broken is because of the challenges facing public defenders. We are writing to encourage you to participate in the government's first ever survey for public defenders around the country because it gives you the opportunity to describe your work, the value of the services you provide, and the resources that you and your clients need. It is a big deal that the government is taking this request for information straight to the lawyers on the front line. We have our experiences, but we want to see more data on public defense, and use this data to work together to address the significant problems in the criminal justice system.

We are happy that this survey is directly in your hands because you are the expert in public defense. This is a rare opportunity to describe your work and be part creating an accurate picture of what public defense in this country really looks like.

The survey was developed by your public defender colleagues and in conjunction with impacted communities in participatory defense hubs around the country so it asks the right questions. It should take less than 20 minutes of your time and involves no research – you know this stuff! Your responses will remain totally confidential and your answers can never be traced back to you or your office.

On behalf of people who have lived through the criminal justice system, we hope you'll take the time to share your experience to inform a broader understanding of how the ideals of the right to counsel and access to justice actually play out in courtrooms, jails and communities across America.

Sincerely,

Will Harrell
Senior Policy Counsel
Voice of the Experienced (VOTE)
New Orleans, LA

[G] Week 4: Everyone: Follow-up (via Phone)

Hello, may I please speak with (NAME)?

My name is Heather/Jon from NAPD. About a month ago, we emailed you about participating in the first-ever National Survey of Public Defenders. Did you receive that survey?

No, did not receive materials:

BJS is conducting the first national effort to survey public defenders around the country and gather information about your professional experiences and the services you provide to clients. The survey would have come from this email address [ADDRESS HERE]. It is a short survey that shouldn't take more than 20 minutes of your time. Your participation in this survey is voluntary and confidential. Your responses will not be shared with anyone outside of our research team, and you can refuse to answer questions or stop the survey at any time. I can send this information to you via mail or email, and the survey can be completed on a hard copy or online survey. How would you like to receive the survey?

*Respond as appropriate based on respondent's answer and **confirm address/email**

Yes, did receive materials:

Great! Do you have any questions about the survey or the purpose of the study?

*If respondent indicates that they have the materials available or if they have time during the call, walk through sections

As a reminder, your participation in this survey is voluntary and confidential. Your responses will not be shared with anyone outside of our research team, and you can refuse to answer questions or stop the survey at any time.

If you have any questions as you complete the survey, please call us toll-free at (phone number). Thank you in advance for your participation!

Voicemail script

Hi, my name is Heather/Jon from NAPD. Recently, we reached out by email and mail to ask you to participate in a study of public defenders by completing a survey. Your participation in this survey is voluntary and confidential. Your responses will not be shared with anyone outside of our research team, and you can refuse to answer questions or stop the survey at any time.

If you have any questions about the completion of the survey or how to return it, please contact us by calling the toll-free number (phone number).

We appreciate your time in responding to the survey and being a part of this important effort to advance knowledge about the work of public defenders like you. Again, please reach us at (phone number) with any questions.

[H] Week 5: Everyone: Follow-up (via mail)

Dear [insert name],

Over one month ago, we sent you an invitation to participate in a pilot test of the Survey of Public Defenders, sponsored by the U.S. Department of Justice, Bureau of Justice Statistics (BJS). Our records show that at the moment we have not yet received a response from you. If you responded recently, please accept our thanks! We will note your response as soon as we receive it. If you haven't responded, we hope that you will participate in this important study piloting the first national survey of public defender.

This survey will be the first ever to give an accurate picture of who public defenders are, and the work they do. It is important that we receive responses from a diverse selection of attorneys in order to develop a comprehensive picture of public defense across the country, and we hope to receive your response soon.

We have attached a paper copy of the survey. Your completed survey can be returned using the pre-addressed, pre-paid envelope, which was included in the package. You also have the option of completing an online survey that we sent earlier to the email address (note email used). Your participation in this survey is voluntary and confidential. Your responses will not be shared with anyone outside of our research team, and you can refuse to answer questions or stop the survey at any time.

Thank you in advance for your participation in this important national study. If you have any questions about how to complete or submit this survey, please email us at defendersurvey@urban.org or call the Urban Institute toll free at [insert phone number].

Sincerely,

[I] Week 6: Everyone: Follow-up

Dear [insert name],

A little over a month ago, we sent you an invitation to participate in a pilot test of the Survey of Public Defenders, sponsored by the U.S. Department of Justice, Bureau of Justice Statistics. We have not yet received a response from you but hope that you will participate in this important study piloting the first national survey of public defenders.

You may complete the survey by following this link: [link to survey]

This survey will be the first ever to give an accurate picture of who public defenders are, and the work they do. It is important that we receive responses from a diverse selection of attorneys in order to develop a comprehensive picture of public defense across the country, and we hope to receive your response soon.

Your participation in this survey is voluntary and confidential. Your responses will not be shared with anyone outside of our research team, and you can refuse to answer questions or stop the survey at any time.

Thank you in advance for your participation in this important national study. If you have any questions about how to complete or submit this survey, please email us at defendersurvey@urban.org or call the us toll-free at (phone number). We have also attached some additional information about this project if you are interested.

Sincerely,

[J] Week 8: Everyone: Follow-up

Dear [insert name],

About two months ago, we sent you an invitation to participate in a Survey of Public Defenders, sponsored by the U.S. Department of Justice, Bureau of Justice Statistics. We have not yet received a response from you but hope that you will participate in this important study piloting the first national survey of line defenders.

You may complete the survey by following this link: [link to survey]

This survey will be the first ever to give an accurate picture of who public defenders are, and the work they do. It is important that we receive responses from a diverse selection of attorneys in order to develop a comprehensive picture of public defense across the country, and we hope to receive your response soon.

Thank you in advance for your participation in this important national study. If you have any questions about how to complete or submit this survey, please email us at defendersurvey@urban.org or call the us at [insert phone number]. We have also attached some additional information about this project if you are interested.

Sincerely,

[K] Week 9: Everyone: Follow-up (via mail)

Dear [insert name],

Over two months ago, we sent you an invitation to participate in a Survey of Public Defenders, sponsored by the U.S. Department of Justice, Bureau of Justice Statistics (BJS). Our records show that at the moment we have not yet received a response from you. If you responded recently, please accept our thanks! We will note your response as soon as we receive it. If you haven't responded, we hope that you will participate in this important study piloting the first national survey of line defenders.

This survey will be the first ever to give an accurate picture of who public defenders are, and the work they do. It is important that we receive responses from a diverse selection of attorneys in order to develop a comprehensive picture of public defense across the country, and we hope to receive your response soon.

We have attached a paper copy of the survey. Your completed survey can be returned using the pre-addressed, pre-paid envelope, which was included in the package. You also have the option of completing an online survey that we sent earlier to the email address (note email used). Your participation in this survey is voluntary and confidential. Your responses will not be shared with anyone outside of our research team, and you can refuse to answer questions or stop the survey at any time.

Thank you in advance for your participation in this important national study. If you have any questions about how to complete or submit this survey, please email us at defendersurvey@urban.org or call the us toll-free at [insert phone number].

Sincerely,

[L] Week 10: Everyone: Follow-up (via Phone)

Hello, may I please speak with (NAME)?

My name is Heather/Jon from NAPD. We recently sent you an email with a link to complete a survey of public defenders, as well as a survey in the mail. Did you receive these materials?

No, did not receive materials:

BJS is conducting the first national effort to survey public defenders around the country and gather information about your professional experiences and the services you provide to clients. There is a short survey that shouldn't take more than 20 minutes of your time. Your participation in this survey is voluntary and confidential. Your responses will not be shared with anyone outside of our research team, and you can refuse to answer questions or stop the survey at any time. I can send this information to you via mail or email, and the survey can be completed on a hard copy, or online survey. How would you like to receive the survey?

*Respond as appropriate based on respondent's answer and confirm address/email

Yes, did receive materials:

Great! Do you have any questions about the survey or the purpose of the study?

*If respondent indicates that they have the materials available or if they have time during the call, walk through sections

Your completed survey can be returned using the pre-addressed, pre-paid envelope, which was included in the package. You also have the option of completing the survey online through the email that you received. As a reminder, your participation in this survey is voluntary and confidential. Your responses will not be shared with anyone outside of our research team, and you can refuse to answer questions or stop the survey at any time.

Voicemail script

Hi, my name is Heather/Jon from NAPD. Recently, we reached out by email and mail to ask you to participate in a study of public defenders by completing a survey. It is important that we receive responses from a diverse selection of attorneys in order to develop a comprehensive image of public defense across the country, and we hope that you will participate.

There are a few ways in which you may respond to the survey – returning the hardcopy survey by mail or fax, or filling out the online survey. Your participation in this survey is voluntary and confidential. Your responses will not be shared with anyone outside of our research team, and you can refuse to answer questions or stop the survey at any time.

If you have any questions about the completion of the survey or how to return it, please contact us by calling the toll-free number (phone number).

We appreciate your time in responding to the survey and being a part of this important effort to advance knowledge about the work of public defenders like you. Again, please reach us at (phone number) with any questions.

[M] Week 12: Everyone: Follow-up

Dear [insert name],

Data collection for the Survey of Public Defenders is scheduled to end on (insert date), but we have not yet received a response from you.

It is so important for us to have data to describe the important work that public defenders like you do. This survey is the first-ever attempt to collect information from enough attorneys across the country to get a truly national picture public defense. With the information gathered from this survey, we can begin to develop a comprehensive and accurate picture of the work defenders are doing in the United States, have conversations about the value of the services you provide to your clients and the criminal justice system, and identify funding and resources to support your work.

We hope you will participate in this effort. You may complete the survey in by either:

- 1. Completing the survey online via this link: [insert link]**
2. Filling out the hard copy survey mailed to you and returning it using the pre-addressed, pre-paid envelope, which was included in the package.

Your participation in this survey is voluntary and confidential. Your responses will not be shared with anyone outside of our research team, and you can refuse to answer questions or stop the survey at any time.

If you have already responded to the survey, please accept our thanks! We will note your response as soon as we receive it. If you did not receive a questionnaire via mail, or if it was misplaced, please contact us toll-free at (phone number) or by email at defendersurvey@urban.org. We are also happy to assist you with completing the questionnaire, if needed. Thank you for your help with this important survey!

Sincerely,

[N] Weeks 2- 12: Everyone: Thank You

Dear (NAME),

On behalf of the Bureau of Justice Statistics (BJS), the Urban Institute, and NAPD, we would like to thank you for your participation in the pilot test of the Survey of Public Defenders. We appreciate your support and effort in completing the survey, as it is vital in the success of this pilot study as well as critical for informing the full-scale implementation of this survey.

This letter confirms that we have received and processed your survey. If you have questions or updates to the contact information for you or your office, you may contact us at (phone number) or by email at (email).

Sincerely,

INSTITUTIONAL REVIEW BOARD NOTICE OF APPROVAL
(Federalwide Assurance Number #0189)

PROJECT DIRECTOR: Jeanette Hussemann

TITLE: "Survey of Public Defenders"

SPONSOR AGENCY: BJS

PROTOCOL DATE: Mar '20, rev. Oct '20

UI PROJECT NUMBER: 101990-0001-001-00001

PROPOSAL NUMBER: N/A

NATURE OF REVIEW:

(Check One)

FULL _____

EXPEDITED X

MEETING DATE: N/A

TYPE OF APPROVAL

____ PRELIMINARY:

____ PRETEST/PILOT TEST. SCHEDULE NEXT REVIEW PRIOR TO FULL IMPLEMENTATION

____ FULL IMPLEMENTATION

____ OTHER: Reviewed and approved per 28 CFR Part 46.

X AMENDMENT: Pretest, pilot tests, semi-structured virtual interviews. Also off-site work approval for J. Hussemann, B. Adams, E. Henderson, and L. Doyle.

Please note the following requirements:

PROBLEMS OR ADVERSE REACTIONS: If any problems in treatment of human subjects or unexpected adverse reactions to include a breach of data security occur as a result of this study, you must notify the IRB Chairperson immediately. (See the IRB website for further information on reporting)

CHANGES IN PROTOCOL: If there are significant changes in procedures or study protocol, you must notify the IRB Chairperson before they are implemented.

RENEWAL: You are required to apply for renewal of approval at least annually for as long as the study is active. Your next review date should be on or before 10/21/21.



IRB Administrator and Member
Everett I. Madden

October 22, 2020
Date

500 L'Enfant Plaza SW
Washington DC 20024