

Executive Summary

“Imagine a world where justice does not depend on race, class or income. Nothing is more important to achieving this ideal than the quality of the lawyer provided our least fortunate citizens when their life or liberty is at stake. I envision a world in which a new generation of committed attorneys are provided the training and resources they need to make this promise of equal justice for all a reality.”

– Jonathan Rapping

“Never doubt that a small group of thoughtful, committed citizens can change the world. Indeed, it’s the only thing that ever has.”

– Margaret Mead

“The true measure of a civilized society is how it treats people accused of crimes.”

– Winston Churchill

I. Organizational Overview

The **Southern Public Defender Training Center** (SPDTC) is a program created to improve the quality of representation for indigent defendants across the Southern United States. Our mission is to provide outstanding public defender training to young lawyers and to develop a community of SPDTC members, graduates, public defender offices, and other organizations, tied together by the mutual objective to advance standards of public defense, and thereby optimize the collective ability to advocate for systemic indigent defense reform. Currently, SPDTC is a fiscally sponsored program of the Southern Center for Human Rights (SCHR), an organization dedicated to enforcing the human rights of people in the criminal justice system in the Deep South. Based in Atlanta, SCHR challenges unconstitutional and illegal criminal justice practices that target the poor, people of color, and marginalized groups; represents people facing the death penalty who would otherwise have no representation; and seeks to transform the justice system into one that is fair, transparent, humane, and effective. SPDTC was originally formed with the expectation that SCHR would incubate the program for 18-24 months, until operations were established. SPDTC is now in a position to begin building an independent organization and, accordingly, is in the process of applying for independent 501(c)(3) tax-exempt status. We have a dynamic Board of Directors, comprised of enthusiastic supporters and program experts. This Board is deeply engaged in our strategic visioning, program development, and growth and expansion efforts.

Mission and History: SPDTC was formed to inspire, mobilize and train legal professionals to provide the highest quality defense representation to people unable to afford an attorney. SPDTC lawyers, alumni, trainers, and partners are changing the culture of indigent defense, in the South and eventually across the country, ultimately ensuring that every person has access to justice. Our goal is to offer a “best-in-class” public defender training program, while also building a strong community of public defenders comprised of SPDTC members, graduates, faculty/mentors, and public defender offices, as well as organizations throughout the country, who are tied together by the common goal to reform public defense. By building this cohesive community, SPDTC strives to facilitate our collective ability to advocate for indigent defense reform at all levels of the court system.

SPDTC is an early-stage initiative established in March 2007 when Jonathan Rapping, Executive Director, received a Soros Justice Advocacy Fellowship to develop a comprehensive three-year public defense training and leadership development program. SPDTC has already recruited and begun training its first two classes. Beginning in 2009/2010, a total of three classes, each comprised of 20-30 lawyers per class (for a total of 60-90 members), will be participating in SPDTC programming each year. We are currently training and supporting our second first-year class and our first second-year class, and planning third-year training content (for implementation in Summer 2009). In addition, we are developing the systems that will support this community of public defenders by keeping current members, alumni, faculty/mentors, and staff connected throughout their careers, and by building relations with law schools, public defender offices, and related organizations throughout the country. We are also in the process of creating strategies to continue to train and support our graduates as we work to establish a dynamic alumni community. Simultaneously, we are formalizing SPDTC's infrastructure to maximize our organizational efficiency, effectiveness and long-term sustainability.

II. Need

In the 1963 landmark case *Gideon v. Wainwright*, the U.S. Supreme Court unanimously concluded that states have a constitutional obligation under the Sixth and Fourteenth Amendments to provide counsel to indigent defendants in felony cases, stating that the ruling is “the start of a right to counsel revolution in the United States.” More than 40 years later, we are far from realizing the promise of the Supreme Court ruling.

While indigent defense is in a crisis nationally, nowhere is the problem more acute than in the southeastern states. Throughout the South, lawyers representing poor clients routinely carry crushing caseloads, advise clients to enter guilty pleas without any investigation, and try cases with little or no preparation. Many lawyers never see their clients outside of the courtroom, and in some jurisdictions, an arrestee unable to post bond can sit in jail for months effectively unrepresented by counsel. According to the National Legal Aid & Defender Association, 35 million Americans live below the poverty level and another 10 million have incomes that are less than 25% higher than poverty levels. Roughly 1 in 5 U.S. citizens is eligible for federally funded legal services. The need for legal services among the poor is significant, with 40% of low and moderate income households experiencing a legal problem each year. When those legal problems are criminal in nature, a lawyer may be appointed, but the vast majority of people are not getting constitutionally effective representation.

Inadequate representation risks the unthinkable of wrongful conviction. Defendants and their families suffer from undue pressure to take a plea, inappropriate sentencing, and the misery associated with our country's failure to protect constitutional rights. All of society bears the cost of an inefficient legal system including expensive and often undue incarceration, a values system that fails to honor standards of due process and equal treatment, and the community divisiveness and greatly diminished sense of well-being that results from ignoring the needs and rights of our least fortunate citizens.

“While there are many reasons why our justice systems far too often convicts innocent persons, clearly one of the best bulwarks against mistakes is having effective, well-trained lawyers.” (Source: “Gideon’s Broken Promise: America’s Continuing Quest for Equal Justice,” American Bar Association’s Standing Committee on Legal Aid and Indigent Defendants, December 2004).

III. Program Model

SPDTC was created to offer a robust training and leadership development program designed to build a new generation of committed public defenders equipped with the skills and values needed to immediately offer high quality, client-centered indigent representation. Our overarching objective is to develop a corps of public defenders who will have the skills, values and motivation to serve as advocates, or change agents, for the systemic reform needed to uphold every person's constitutional right to fair and equal justice and to serve as the future leaders of this reform movement.

Expertise: The SPDTC has engaged the top-notch public defense experience and training expertise necessary to carry out our mission. Our board, faculty and staff are comprised of individuals having extensive experience in criminal and/or indigent defense. (Please refer to our website for a detailed list of our faculty.)

Program Strategies: The SPDTC integrates a focus on advocacy, client-centered representation, raising awareness, and community building into our program utilizing a five-pronged approach that includes the following:

Intensive Outreach and Recruitment. Recruitment is focused on new lawyers and third- year law students who are recruited nationally from laws schools and southeastern public defender offices. SPDTC complements the development of recruiting materials with visits to law schools nationally and to public defender offices throughout the South. SPDTC has successfully recruited graduates of many outstanding law schools across the country as well as dedicated new public defenders from offices across the region. We are actively evolving our recruitment efforts and expect the number of interested applicants to grow exponentially over the next few years.

Gold Standard Training. Members participate in training provided over a three-year period and facilitated by some of the best current and former public defenders in the country. A three-year program not only allows SPDTC to support new public defenders during the formative years of their careers, but allows successive classes to meet and share experiences, thereby building a community of attorneys who can support one another for years to come. The SPDTC curriculum includes over 100 hours (16 days) of instruction during the first year, followed by 20-28 annual hours of instruction, offered semiannually in the second and third years. In our effort to build a community of top- notch public defenders serving multiple states, the weekend-long trainings bring successive classes together (comprised of classmates from multiple states) so they can convene as a group that develops into a community that facilitates collaboration long after participating in the training.

Mentoring From Legal Experts. By identifying existing public defenders that recognize the need for change, and recruiting them as mentors to young attorneys, SPDTC involves all levels of the legal profession in the process of systemic transformation. Mentors offer a source of ongoing support to participants between training sessions. This communication develops a sense of community among classmates and faculty/mentors by encouraging members to share questions, concerns, resources, and advice. This mentoring is critical in order to provide class participants with the support, encouragement, and inspiration they need to sustain their persistence toward advancing indigent defense in light of the significant challenges they face. With a 3:1 student to faculty ratio, all participants receive considerable individual attention.

Program Strategies (continued):

Collaboration. SPDTC collaborates with numerous public defender offices, law schools, and national organizations to recruit program participants and faculty as well as help promote indigent defense reform efforts. This approach of collaboration, education, advocacy, and commitment to building the community of individuals and institutions dedicated to the very best representation for all individuals, is paramount to our vision and plans to successfully achieve our mission.

Community Building. A critical component of our five-pronged approach is focused on developing our SPDTC members, alumni, faculty/mentors, and staff into a strong and cohesive community that supports indigent defense reforms throughout their careers. Given the enormity of the task involved with improving the indigent defense system, public defense attorneys need a community of support to help sustain them in their efforts as change agents. By building a community of both young (members) and experienced (alumni and faculty/mentors) reform-minded public defenders, SPDTC will help ensure public defenders persist and succeed in their efforts to advance justice long after participating in our training.

IV. Additional Information

Please see our website, www.thespdtc.org, for additional information, including lists of our Board of Directors, faculty, and members. Should you like to speak to someone in person, please call Jonathan A. Rapping, CEO, at (202) 277-3194. Mr. Rapping may also be contacted via e-mail at jrapping@bellsouth.net.