

Participants-Responses to the survey

Adele Bernhard

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Research into the quality of legal representation is important because...

we want to make certain that everyone charged with a crime is represented by an effective attorney. This ensures the most accurate outcome, the best opportunity for diversion if prosecution is unnecessary or unwarranted, and the most trust in and satisfaction with the judicial branch of government.

The highest priority for researchers should be...

What is the best way to ensure effective representation? Is it through caseload caps, through training, or through evaluation?

I would be interested in working on research about...

all of the above.

If I was part of a research collaboration, I could contribute...

broad-based knowledge of defender systems nationally, training initiatives, and standards based evaluation.

Alissa Pollitz Worden

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Research into the quality of legal representation is important because...

the notion of 'quality' in legal representation is elusive. Lawyers are professionals whose allegiance is to a set of ethical, expert, and responsible standards. The professions are not easily subjected to standardized measures of performance; indeed, most professions (teaching,

architecture, medicine) celebrate the diversity of decisions that result from combinations of expertise and judgement and attention to clients, rather than the uniformity of products. So while we all agree that legal representation should be of the highest attainable quality, the problem of assessing the state of that quality is not subject to the types of evaluation criteria that might apply to other types of work (competition; consistency; speed; litigation avoidance).

The highest priority for researchers should be...

Good question. We shall probably debate the right answer: maximizing defenders' opportunity to practice their craft? Maximizing the wellbeing of individual defendants? Studying the conditions that create structural opportunities that favor the best practice of law?

I would be interested in working on research about...

local courthouse politics and the delivery of legal services; the intersection of defenders' clientele with other social services and legal case clienteles; a better understanding of the craft of defending (we have great research on this for police officers and, to a lesser extent, probation and parole officers - not so much for defense lawyers and prosecutors); the dynamics of plea bargaining in different settings and how - or whether - they are shaped by resources; the variety of structures through which indigent defense is delivered; attorney-client relationships; attorneys' perspectives on their own role orientations.

If I was part of a research collaboration, I could contribute...

At present I am privileged to be part of a research collaboration, and every project leads to ideas for new projects (which is the essence of a true collaboration). My background is in local politics and courts and I am familiar with the rich academic literature available which, all too often, has to be reinvented or rediscovered by new (and enthusiastic!) participants. So I am happy to keep things efficient and share what we already know, or think we know. Knowing how to collect data (efficiently) and being undaunted by the prospects of actually finding and coding the data we need (rather than the data that are readily at hand) is important, and years of academy training have not been wasted on that!

Alyssa Clark

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Research into the quality of legal representation is important because...

we need to give indigent defense the proper tools to advocate for their freedom in an effective way. Having a defendant fall through the cracks or become a victim of the system is unacceptable.

The highest priority for researchers should be...

to inspire reform through empirical research.

I would be interested in working on research about...

rural courts, rural justice, access to counsel, public defense systems, etc.

If I was part of a research collaboration, I could contribute...

a different perspective and a diverse research background.

Amanda Oren

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Research into the quality of legal representation is important because...

it ensures that clients are provided with attorneys who can truly protect the client's rights and not just a place holder.

The highest priority for researchers should be...

caseload monitoring and client interaction.

I would be interested in working on research about...

whether attorneys complete basic requirements of representation, e.g. client visits, filing motions, using investigators.

If I was part of a research collaboration, I could contribute...

brainstorming.

Angela Burton

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Research into the quality of legal representation is important because...

Without an understanding of what works and what doesn't, the quality of representation gets worse, not better.

The highest priority for researchers should be...

Explaining why government should properly fund high quality legal representation for people who are financially unable to afford counsel.

I would be interested in working on research about...

perspectives of clients on the characteristics of high quality of representation in state intervention cases (child abuse/neglect, foster care, termination of parental rights).

If I was part of a research collaboration, I could contribute...

writing and editing.

Andrew Davies

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Research into the quality of legal representation is important because...

the better we understand the nature and impact of legal representation the more intelligent the decisions that we make about reform can be.

The highest priority for researchers should be...

testing our assumptions. We need ambitious new projects which address the fundamental assumptions about what reform in legal services looks like and its actual impact.

I would be interested in working on research about...

any aspect of indigent legal services, both in criminal and family courts. I am particularly

interested to track the impact of various policy innovations being tried in indigent legal services in New York.

If I was part of a research collaboration, I could contribute...

experience in courts research with a focus on indigent legal services; a bridge to provider organizations and administrative data in New York.

Anne Traum

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Research into the quality of legal representation is important because...

we need to know when lawyers make a difference and why.

The highest priority for researchers should be...

to identify categories, if they exist, where litigants actually fare better on their own, as that could be empowering and instructive.

I would be interested in working on research about...

sentencing outcomes in counseled/uncounseled misdemeanors and in jurisdictions/offices where lawyers have better access to sentencing and plea data.

If I was part of a research collaboration, I could contribute...

context and doctrinal legal expertise because I am a law professor and defense lawyer, but I know nothing about data crunching!

Ayesha Delany-Brumsey

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Research into the quality of legal representation is important because...

Research can be used to support legal representation in myriad ways. For instance, quality cost benefit analyses can be used to bolster budget request for public defense providers, or research

could be used understand how to develop and measure relevant performance indicators for attorneys. In short, research can be used to guide defense practitioners in best practices and provide them with the data necessary to maintain and improve their services.

The highest priority for researchers should be...

ensuring that the development of their research is informed by practicing defenders and that their research results are translated into practice.

I would be interested in working on research about...

public defense services for people with behavioral health conditions.

If I was part of a research collaboration, I could contribute...

experience in qualitative research methods for interviewing defenders and their clients and experience with quantitative research methods for analyzing survey and administrative data.

Banks P. Miller

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Research into the quality of legal representation is important because...

Beyond the stakes for individual litigants, sometimes far-reaching policy decisions are made in legal proceedings. Attorneys are often influential in framing the choices available in many cases and in deciding whether litigation will occur in the first instance. Therefore attorneys, as legal representatives, are crucial actors in determining the policy outputs of courts and other quasi-legal agencies.

The highest priority for researchers should be...

conceptualizing and measuring attorney quality. What does a good lawyer look like empirically? How can we, as researchers, distinguish between quality representation and poor representation?

I would be interested in working on research about...

the extent to which attorneys are capable of altering the decision making of judges and the extent to which attorneys "level the odds" in situations where the litigants are not otherwise evenly matched.

If I was part of a research collaboration, I could contribute...

measurement issues, such as those mentioned in response to the "highest priority" question above. I am also capable of fairly complex data analysis and am well-versed in both the judicial decision making literature and the party capability literature.

Benjamin Schwall

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Research into the quality of legal representation is important because...

it is a fundamental principle of our justice system. We should want more than just meeting the bare minimum that legal representation is being provided and figure out how to provide/ensure a quality measure.

The highest priority for researchers should be...

determining a methodology of getting the most out of the money spent. No system is perfect, but some are better than others and so we should focus on determining what systems are the best.

I would be interested in working on research about...

lawyers and their behaviors change with different incentive structures. Also, I would like to do research looking at the interaction between prosecutors and defense counsel.

If I was part of a research collaboration, I could contribute...

more advanced empirical methods.

Brian J. Ostrom

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Caroline Sarnoff

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Research into the quality of legal representation is important because...

it is a constitutional right lacking the resources to be adequately upheld.

The highest priority for researchers should be...

creating a way to systematically identify successes and weaknesses within offices.

I would be interested in working on research about...

measuring lawyer training in correlation with case outcomes.

If I was part of a research collaboration, I could contribute...

qualitative analysis and data collection skills.

Christopher Michael Campbell

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Research into the quality of legal representation is important because...

For the sake of brevity, research into the quality of legal representation is important for a host of reasons. The reasons range from a simple, functional need (i.e., to measure, track, and understand the cost and benefits of such representation for the sake of the system) to a more complex, aggregate need that includes redefining certain expectations of system agents. Perhaps chief among these reasons are those having to do with social justice and inequality within the justice system. Without a way to recognize and measure quality legal representation, the expectations for public defense and assigned counsel will remain in the abstract. Thus, without this research we allow poor representation to continue thriving under the radar of what is supposed to be fair due process.

The highest priority for researchers should be...

Researchers focused on this issue must emphasize the following: (1) find the most appropriate

ways to define and measure quality representation; (2) examine how quality representation impacts our conception of procedural justice and fairness, system and agent legitimacy, and system outcomes (e.g., probationer recidivism); and (3) package the information learned from this research in a way that is meaningful and useful for the various legal systems needing it in order for them to maintain quality assurance, set standards, and make informed decisions regarding inner-agency policy and statutes.

I would be interested in working on research about...

I am interested in working on research involved in each of the points I highlight as priorities in this area. Though, I am particularly interested in how quality representation can translate into more condition adherence among probationers. This would provide a specific test of past conceptualizations of procedural justice which includes perception, legitimacy, fairness, and compliance with laws, or in this case, conditions of supervision.

If I was part of a research collaboration, I could contribute...

I can contribute in ways of research design, study development and management (quantitative and qualitative), as well as statistical and analytical skills. I can also contribute by providing university resources.

Colette Tvedt

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Research into the quality of legal representation is important because...

In order to have evidence based solutions, we need to document, through research, the things we already know are wrong with the criminal justice system such as: the crisis in indigent defense- mass incarceration (with over 60% of inmates pretrial); limited resources for public defenders; defenders with huge workloads; actual and constructive denial of counsel in misdemeanor courts; a "meet, greet, and plead" mentality resulting in 94% of criminal clients pleading guilty....all in an era of nearly 50,000 collateral consequences.

The highest priority for researchers should be...

ensuring the 6th Amendment right to counsel in all criminal prosecutions; with assurance of a well resourced, properly trained lawyer from first appearance until resolution of the case.

I would be interested in working on research about...

right to counsel at first/initial appearance; pretrial release reform and the use of validated risk assessments to advocate for the release of clients based upon objective, evidence based metrics; workload studies involving the implementation of time-tracking and Delphi studies to develop manageable workloads for defenders.

If I was part of a research collaboration, I could contribute...

years of experience as a state and federal defender and Clinical Professor; the ability to translate the obstacles faced on the ground into development of best practices (bridging the gap between practice and theory); vast national contacts in the criminal justice arena; experience managing large grants; developing training manuals and conducting targeted training programs to enhance the capacity of indigent defenders with large workloads and limited access to sophisticated training; familiarity with recent scholarship in the criminal justice field; and conducting field investigation, court observations, reports and recommendations for improving indigent defense with the support of the NACDL the preeminent criminal defense organization.

Cynthia G. Lee

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Research into the quality of legal representation is important because...

high-quality legal representation is essential to the proper functioning of the justice system and has an impact far beyond the outcome of the individual legal case. Measuring the quality of legal representation is an essential first step towards understanding the effects of high-quality legal representation, or the lack thereof, on clients, the justice system, and society as a whole.

The highest priority for researchers should be...

defining the various attributes of quality legal representation (e.g., specific aspects of client interaction) and how they can be measured.

I would be interested in working on research about...

the impact of resource constraints on the quality of indigent defense representation, or other empirical projects related to criminal and/or civil legal representation for the indigent.

If I was part of a research collaboration, I could contribute...

expertise in qualitative and quantitative research methods combined with legal training and real-world experience conducting applied research in state courts.

Daryl V. Atkinson

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Research into the quality of legal representation is important because...

the liberty interests of the most vulnerable members of our society are dependent on the quality of our indigent defense systems.

The highest priority for researchers should be...

developing quality outcomes measures to evaluate the effectiveness of our indigent defense system.

I would be interested in working on research about...

developing outcomes that measure the quality of the indigent defense from a client's perspective.

If I was part of a research collaboration, I could contribute...

developing quality client-based outcomes.

David Udell

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Research into the quality of legal representation is important because...

our legal system is built on the premise that people on both sides will have adequate legal representation. Yet, in criminal matters, the quality of free legal representation is often described as mediocre, and in civil matters very few people are able to obtain legal representation, free or otherwise. It would be helpful to efforts to improve the quality of

indigent defense services and to fund free civil legal services, if we knew more about what lawyers do, how they do it, and what the indicators are that allow us to know they are doing it well. Approaching the issue from the other side, we should be aware that critics maintain that it is not always necessary to assure the provision of lawyers to people in indigent defense matters and civil legal matters, so for that reason, as well, it is important to develop a more precise understanding of what lawyers do, and why they are needed (as contrasted with other people who are not trained as lawyers) to do it.

The highest priority for researchers should be...

figuring out the tasks that only lawyers can do, establishing a definitive understanding of the types of education, training and skills acquisition that are necessary to perform those tasks, and determining whether (or not) lawyers are being made available to perform those tasks at a sufficiently high level of quality for those in need.

I would be interested in working on research about...

the nature of the tasks that only lawyers can do, the education, training and skills necessary to do the tasks, and the availability of lawyers to perform those tasks for those in need.

If I was part of a research collaboration, I could contribute...

experience developing indicators for justice system performance, including criteria and data in our database, at www.justiceindex.org, on the number of civil legal aid lawyers in the 50 states, as well as data on the presence (and absence) in the 50 states of best practices for assisting self represented civil litigants, people with limited English proficiency, and people with disabilities.

Deborah Schneer

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Research into the quality of legal representation is important because...

Will assist in implementation of best practices and systems.

The highest priority for researchers should be...

gathering and assessing objective data re quality representation of indigent defendants.

Don Murphy

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Research into the quality of legal representation is important because...

knowing what works and what does not works focuses our efforts and advances the legal profession. This research will lead to improving practice and that makes a difference for both the clients as well as the lawyers providing the representation..

The highest priority for researchers should be...

fostering communities of practice; and the legal culture is the biggest determinant and constraint to improvements.

I would be interested in working on research about...

1. communities of practice. 2. the mental side of lawyering. - There's a revolution underway in how we acquire skills. Our notions of training and practicing, personal and professional development are antiquated, counterproductive and inefficient.

If I was part of a research collaboration, I could contribute...

research subjects and project management.

Dottie Carmichael

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Research into the quality of legal representation is important because...

fair defense is a fundamental underpinning of freedom, deserving of greater respect and investment than it sometimes receives. Research is one means to show the impacts of the work and elevate its importance.

The highest priority for researchers should be...

to listen closely to public defenders to identify the areas where research can (a) inform and support the provision of high quality defense services and (b) communicate public defense

needs and accomplishments more effectively to policymakers, making the case for greater investment in this important work.

I would be interested in working on research about...

any issue that has potential momentum to bring policy change to improve the climate for high quality defense. The idea is to leverage opportunity when and where openings occur.

If I was part of a research collaboration, I could contribute...

proposal writing, technical research capabilities like qualitative and quantitative data collection and analysis, and report writing.

Elly Kalfus

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Research into the quality of legal representation is important because...

public defenders are supposed to be the voice of the marginalized. If we don't know whose voices are being silenced, it's difficult to help them.

The highest priority for researchers should be...

learning and then meeting the needs of indigent defendants to ensure they obtain due process.

I would be interested in working on research about...

what the current state of indigent defense is in every jurisdiction; bridging the gap between researchers and non-system contract & assigned counsel attorneys; how to educate the public about the need for indigent defense and how to advocate for it to people in power; and much more.

If I was part of a research collaboration, I could contribute...

reading, writing and research, knowledge of state public defender systems and right to counsel history and case law.

Erica Hashimoto

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Research into the quality of legal representation is important because...

It is both necessary for purposes of educating those who allocate indigent defense budgets and it provides indigent defense providers with guidance on the most effective way to allocate their limited resources.

The highest priority for researchers should be...

assessing optimal caseloads/workloads of indigent defense providers that enable those providers to provide quality legal representation.

I would be interested in working on research about...

both caseloads of indigent defense providers (and misdemeanor caseloads in particular) and the allocation of resources within individual public defender offices.

If I was part of a research collaboration, I could contribute...

all of the law on effective representation and some on-the-ground reports regarding representation in a variety of states.

Erika Fountain

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Research into the quality of legal representation is important because...

Assuming quality of legal representation is sometimes influenced by extra factors (e.g., caseload), it would be important to have an understanding of what external factors might be effecting quality of counsel. That information could be useful in determining what policy changes might be needed to help improve quality. On a more individual level, research into the quality of legal representation could highlight the most important or effective practices that might be helpful for lawyers to focus or work on absent larger policy changes.

The highest priority for researchers should be...

As a psychologist it is important for me to conduct psycholegal research in an ecologically valid way. To do so, researchers can collaborate with legal practitioners to ensure that their research questions are practically relevant.

I would be interested in working on research about...

juvenile defense, juveniles' understanding of rights, and their understanding of legal actors' roles.

If I was part of a research collaboration, I could contribute...

information about adolescent development and legal psychology more generally.

Franklin Cruz

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Research into the quality of legal representation is important because...

we still understand very little on a national level about what it takes to produce the best outcomes for defendants, what the best outcomes are, and how to operationalize our understanding of quality. We know that workload and legal training are key to producing strong lawyers, but we increasingly know that indigent defense lawyers must be able to relate to their clients who have greater needs and pose greater challenges than clients in private practice. Lawyers must know how to interview differently and listen differently. They must understand resources available to support their clients and increasingly how to work with diverse professionals on the defense team (e.g., social workers, civil attorneys, community outreach workers or organizers). As such, we cannot define quality of representation myopically as getting the least restrictive disposition or winning cases. Quality is at least as much about the process -- procedural justice -- as it is about the legal outcome. Furthermore, the legal outcome may only be a small part of the puzzle, as implications of a criminal record have grown and as we are more keenly aware of our responsibility not only to represent the client in front of us on the present case but keep our client from continuing to churn through the criminal justice system.

The highest priority for researchers should be...

not be restricted to one area but look more broadly at a number of issues. First, what model(s) of indigent defense produce the best outcomes (or certain positive outcomes) for defendants?

Here, we would look at various models or iterations of holistic defense, community-oriented defense, etc. Second, how do we build indigent defense systems that best serve clients where there is no institutional defender (i.e., panel attorneys or contract attorneys). Third, what works best to create synergy among different defense professionals, especially between defenders and social workers and between defenders and civil attorneys? Fourth, and perhaps most critical to the overall justice system, what aspects of indigent defense systems have significant and lasting impacts on the lives of defendants, measured at least in part by recidivist behavior?

I would be interested in working on research about...

on any of these research questions. However, I have been particularly interested in considering how we can define common quality standards for a criminal justice system overall. Under the paradigm where defenders are successful when they win, then prosecutors are necessarily failing. When prosecutors are doing well, then defenders are failing. These views of success and failure are too siloed in a time when we are more conscious of the importance of systemic collaboration and problem-solving. What would shared measures of success look like? One would imagine that procedural justice would play a big part, but what does that mean operationally and what else would be involved? From that foundation, how do we then supplement those standards or definitions of success to determine the quality of each individual function in the criminal justice system (i.e., public defenders)? What does a successful criminal justice system look like and what does the successful public defender office in it look like?

If I was part of a research collaboration, I could contribute...

the perspective of a front-line professional, of an executive manager of a public defender office, of a non-attorney in a holistic defense defender office, and of a technical assistance provider and analyst in the area of indigent defense.

Geoff Burkhart

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Research into the quality of legal representation is important because...

it allows attorneys to provide ethical and constitutional representation, managers to run their offices intelligently, and for clients to receive better professional service.

The highest priority for researchers should be...

standardized, thorough data collection.

I would be interested in working on research about...

data collection, workload studies, indigent defense commission development and improvement, eligibility standards, and funding mechanisms.

If I was part of a research collaboration, I could contribute...

experience as a public defender, experience as a researcher, and a chipper attitude.

Gerald Rosenberg

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Research into the quality of legal representation is important because...

the promise of equal justice under law has limited meaning if the quality of legal representation depends on one's wealth.

The highest priority for researchers should be...

designing research that investigates the extent to which legal outcomes are influenced by the quality of legal representation.

I would be interested in working on research about...

finding ways to require the highest quality lawyers to spend some time every year representing clients most in need.

If I was part of a research collaboration, I could contribute...

reminding my fellow researchers of the limited ability of courts to solve institutionalized racism and wealth inequality, while focusing on concrete steps our research suggests can be taken to improve the quality of legal representation for the most disadvantaged in our society.

Giza Lopes

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Greg Pogarsky

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Research into the quality of legal representation is important because...
we need to ensure due process.

The highest priority for researchers should be...
to inform responsible public expenditures.

I would be interested in working on research about...
decision-making.

If I was part of a research collaboration, I could contribute...
theorizing, data analysis, writing, and my personal charm.

Haemi Won

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Research into the quality of legal representation is important because...
adequate legal representation for victims is necessary for the victims to exercise their right to participate in the proceedings.

The highest priority for researchers should be...
changing the world with their research.

I would be interested in working on research about...
legal representation for females and minorities.

If I was part of a research collaboration, I could contribute...
to data collection and cross national research.

James Acker

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Research into the quality of legal representation is important because...

in light of diversity of jurisdictions, systems, organizations, and individuals and their overlap with quality of legal representation there is much to be learned by close examination of factors that relate to the quality of legal representation under different circumstances, and hence to help assess whether improvements (and what types of improvements) can and should be made.

The highest priority for researchers should be...

the evaluation of structural, organizational, individual factors that influence legal representation provided indigents in criminal cases, throughout the entirety of criminal justice process.

I would be interested in working on research about...

legal representation concerning guilty pleas, misdemeanors, and more generally associations between legal representation and wrongful convictions.

If I was part of a research collaboration, I could contribute...

helping translate research findings into reports that could be useful to courts or other policymakers regarding indigent criminal defense.

James Anderson

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Research into the quality of legal representation is important because...

the defense function is vital to the reliability of the justice process.

The highest priority for researchers should be...

developing reliable metrics of quality. It would be difficult but worthwhile.

I would be interested in working on research about...

most topics related to indigent defense.

If I was part of a research collaboration, I could contribute...

familiarity with research methods, ten years of criminal justice litigation experience, and ability to work with both researchers and practitioners.

James Gamble

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Research into the quality of legal representation is important because...

absent solid data as to effective policies, it is impossible to argue effectively for resources and difficult to design policies that maximize the effectiveness of resources that we have.

The highest priority for researchers should be...

ensuring that their research tracks the larger policy dynamic to allow real-world policy making to be informed by the research.

I would be interested in working on research about...

improving access to justice.

If I was part of a research collaboration, I could contribute...

expertise regarding the use of metrics to communicate to a non-technical audience, experience speaking with and getting feedback from the Court community regarding the application of data metrics and practical management experience.

Janet Moore

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Research into the quality of legal representation is important because...

indigent defense is an understudied but critical driver of hyperincarceration.

The highest priority for researchers should be...

targeting research to system improvements, and connecting researchers with practitioners and the communities they serve.

I would be interested in working on research about...

community and client satisfaction and agency/voice/self-efficacy; attorney qualification, training, performance, workload standards.

If I was part of a research collaboration, I could contribute...

lots of years in the trenches of capital defense and reform research/advocacy; strong grounding in democratic theory and constitutional law; prior experience working with social scientists; generally cheerful and cooperative nature; good work ethic; attention to detail.

Jennifer J. Smith

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Research into the quality of legal representation is important because...

Despite the Constitutional requirement that the indigent accused receive access to effective legal representation, there is little research and no clear consensus about what this means either in the U.S. or internationally. Given the recognition that there is a crisis in indigent defense in the U.S. 50 years after Gideon, and the fact that public defenders in many states are not capable of providing effective defense services, it is critical that we discuss and analyze this issue.

The highest priority for researchers should be...

defining the meaning of effective legal representation and making clear to the federal, state and local governments and policy makers what level of representation they must provide/ fund.

I would be interested in working on research about...

the meaning of effective legal representation.

If I was part of a research collaboration, I could contribute...

the ILF's extensive research, guidelines and indicators from post-conflict and transitional countries, demonstrating the same performance standards we have in the U.S. are applicable everywhere.

Jennifer Weintraub

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Research into the quality of legal representation is important because...

the court system has the incredible power to make decisions about an individual's rights, and in order for them to be properly protected we need quality legal representation.

The highest priority for researchers should be...

not only research into quality defense representation but also the quality of a prosecutor's representation of "the people".

I would be interested in working on research about...

courtroom actors and their work-group, as well as prosecutorial decision-making.

If I was part of a research collaboration, I could contribute...

a very strong commitment to ensuring that courtroom practices are done in order to avoid abridging rights and wrongful convictions, as well as a passion in criminal law and procedure, which inform what quality legal representation should encompass.

Jenny Roberts

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Research into the quality of legal representation is important because...

it can help improve quality to expose the problems and give concrete suggestions based on that research. Obviously, the overall quality of representation in criminal cases is abysmal and research gives facts to advocates, legislators, and others who want to change things.

The highest priority for researchers should be...

There's no single highest priority, but I think research that shows how high quality representation can save money in the long run (calculating long term costs of lost wages, e.g.) would be persuasive to at least some. Social science research demonstrating the importance of

good representation to public belief in the criminal justice system's legitimacy seems important.

I would be interested in working on research about...

either of the above, and also research on plea bargaining (I'm doing some now); research on collateral consequences in relation to legal representation (use of consequences in plea bargaining, importance of consequences to individuals facing charges, overall societal cost savings when quality defenders help individuals avoid unnecessary and overly punitive collateral consequences).

If I was part of a research collaboration, I could contribute...

I have a lot of direct experience in the lower criminal courts in three jurisdictions, so I can work well with a trained empirical researcher (I am not one, although I'm doing a qualitative study now). I am quite familiar with the legal scholarship on indigent defense, plea bargaining, negotiation, collateral consequences, and the right to counsel and with some of the empirical work in those same areas, so can help identify areas in need of research. I can also identify areas based on my prior and ongoing practice experience.

Jim Bethke

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Research into the quality of legal representation is important because...

it is the only way to measure in an objective way if legal representation meets the ABA's Ten Principles of an Effective Public Defense Delivery System.

The highest priority for researchers should be...

to measure caseload size and to determine the relationship between caseloads and certain key outcomes: cases dismissed, sentence mitigation, and the impact of specialized defense, like representing a person suffering from mental illness.

I would be interested in working on research about...

1) Caseloads and 2) the impact of bail on indigent persons.

If I was part of a research collaboration, I could contribute...

data our agency collects on caseloads, payments to attorneys, information on distribution of

attorney appointments in assigned counsel systems, and I'd likely be able to recruit a jurisdiction to participate in a study.

Joanne Macri

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Research into the quality of legal representation is important because...

this is a primary function of our agency's state mandate.

The highest priority for researchers should be...

to accurately capture the functions, as well as the caseloads, in a timely manner that is also not unduly burdensome.

I would be interested in working on research about...

any research that addresses collateral consequences within the criminal justice system as well as the treatment and/or options available to immigrants within that system.

If I was part of a research collaboration, I could contribute...

I have spent the past twenty years working on issues relating to criminal and immigration practice of law. I can provide insight into the actual practices that may need to be captured by data if I were to have the opportunity to participate in a research collaborative.

John F. Hollway

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Research into the quality of legal representation is important because...

without a definition of quality we cannot engage in comparison/contrast of legal representation systems across jurisdictions. Without that, we cannot design improvements. In addition, without the ability to compare/contrast, high-functioning jurisdictions cannot distance

themselves from poorly functioning ones, and a scandal anywhere taints the system everywhere.

The highest priority for researchers should be...

defining qualitative and quantitative metrics of quality that will incent and enable data gathering on standardized information across jurisdictions.

I would be interested in working on research about...

systemic issues of the administration of justice, and metrics and aggregation of data.

If I was part of a research collaboration, I could contribute...

In addition to my personal contributions, the Quattrone Center could contribute meeting space and resources, operational support, research support, fundraising assistance, and access to a wide variety of specialized practitioners as well as legal and other scholars (economists, political scientists, criminologists, outcomes data researchers, scientists, etc.) with interest in improving the criminal justice system.

Jon Gould

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Jonah Siegel

Research Director, Michigan Indigent Defense Commission
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Research into the quality of legal representation is important because...

the system is stacked against indigent defenders from the outset. Research on best practices can help inform how we provide better services to an extremely vulnerable population.

The highest priority for researchers should be...

solutions that are realistic and able to be implemented.

I would be interested in working on research about...

the quality of attorney-client relationships and client perceptions of satisfaction.

If I was part of a research collaboration, I could contribute...

statistical knowledge and experience with research design.

Joseph Wierschem

Counsel, New York State Office of Indigent Legal Services

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Joshua Perry

Executive Director, Louisiana Center for Children's Rights

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Justine Olderman

The Bronx Defenders

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Research into the quality of legal representation is important because...

it informs (or should inform) everything we do as public defenders from the way we train our attorneys and non-attorney advocates to the services we provide and from to how we measure our success to whether clients are satisfied with their representation.

The highest priority for researchers should be...

measuring client satisfaction and determining metrics for the success for public defense services.

I would be interested in working on research about...

all of the above.

If I was part of a research collaboration, I could contribute...

some time, less staffing, lots of interest and plenty of enthusiasm.

Kathryn Fahnestock

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Research into the quality of legal representation is important because...

1) the equality of arms is a necessary counterweight to the improper use of power by the state (whether in criminal or civil matters) and 2) the ability to seek legal remedies effectively and to defend one's rights and interests requires competent representation.

The highest priority for researchers should be...

a national (perhaps starting with single jurisdiction prototypes) assessment, using a common construct and definitions, of: -the types and numbers of criminal and civil matters in which rural community members (individually and collectively) should have representation; - consequences for individuals and families of inadequate or nonexistent representation; - consequences for communities and states of failure to provide representation; -what we don't know now about these issues and what we can't know using current data practices.

I would be interested in working on research about...

My current work does not include a research component.

Kira Fonteneau

Public Defender, The Jefferson County Public Defenders

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Research into the quality of legal representation is important because...

we do not know how the work we do as defenders impacts society as a whole. That lack of knowledge leads to wasted resources and bad outcomes. We need research to validate our approaches and spread accurate information about the approaches that work.

The highest priority for researchers should be...

finding ways to tie specific approaches to legal representation to outcomes both for clients and for communities. We should be thinking about validating the usefulness of our approaches instead of relying on assumptions that can be based on faulty reasoning.

I would be interested in working on research about...

the impact of social work on case outcomes, the impact of melding collateral consequence representation with the underlying criminal matters, factors that contribute to or reduce recidivism, client outcomes based on vertical or horizontal representation, whether the defense team is the right point of intervention for services that might help reduce recidivism.

If I was part of a research collaboration, I could contribute...

access to data from my clients as well as participants for focus groups.

Kirstin Morgan

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Research into the quality of legal representation is important because...

it has historically been underfunded and often poorly done, which means we know very little about how to even measure quality representation.

The highest priority for researchers should be...

working to understand how local political cultures and financial restraints affect case outcomes and defense counsel functions.

I would be interested in working on research about...

providing counsel at first appearance, how defense service providers work within local contexts and financial constraints, and how defendants view the justice system, particularly their defense counsel.

If I was part of a research collaboration, I could contribute...

data collection and analysis skills, particularly geared towards creating comprehensive data sets from service provider files and applying local context to analyses.

Laurie Shanks

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Research into the quality of legal representation is important because...

we need to have solid data to support what we know anecdotally. It is too easy to minimize the problems. Criminal defendants have to political voice or power.

The highest priority for researchers should be...

to document and explain the real-life consequences of the failure of the criminal justice system.

I would be interested in working on research about...

the advantage of client-centered representation in appropriate outcomes for individuals charged with crimes.

If I was part of a research collaboration, I could contribute...

knowledge of the criminal justice system from the perspective of a criminal defense attorney, a prosecutor and an academic.

Liana Pennington

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Research into the quality of legal representation is important because...

High quality legal representation keeps the criminal justice system in balance. As a former public defender, I strongly believe that every accused person deserves a full and fair defense. In my experience the quality of legal representation varies widely, both within local areas and

across the country. I believe that many practitioners of indigent defense are not aware of best practices or do not have sufficient time or resources to implement them.

The highest priority for researchers should be...

I believe that right now figuring out effective ways to measure quality legal representation should be a high priority, including moving towards some standardization of case management systems whenever possible. This could lead to both more positive client outcomes and increased funding. I am also concerned with the growing trend of video bail arraignments which do not allow defense attorneys to be both face-to-face with the judge and to have confidential communications with their client. I also believe that in an integrated legal system additional research on prosecutor accountability would greatly benefit defense attorneys.

I would be interested in working on research about...

I am open to working on research in a number of areas, such as different ways of measuring effective advocacy, the efficacy of current case management systems, and the potential tension between procedural justice and fair client outcomes.

If I was part of a research collaboration, I could contribute...

I have both a legal background and experience in qualitative and quantitative research. I can contribute the practical knowledge of three years of experience as a public defender in New Hampshire. I also worked on developing empirical indicators with a new case management system in a youth defender office. I have familiarity with public defender agencies in New England and in Alabama. My current work involves an empirical study of a public defender office starting a new participatory defense initiative.

Lisa Robertson

Implementation attorney for eligibility standards, Office of Indigent Legal Services
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Research into the quality of legal representation is important because...

I am currently working in that subject area, and research assistance will only help me in terms of organizing my thoughts and further honing my research skills.

The highest priority for researchers should be...

Organizing the material found in a manner that is easy for others to digest.

I would be interested in working on research about...

Eligibility criteria.

If I was part of a research collaboration, I could contribute...

in terms of doing the actual research, but not in coordinating the material found. That's where I can benefit from this seminar.

Lisa Schreibersdorf

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Research into the quality of legal representation is important because...

the fairness and justice that people receive is highly dependent upon the quality of the lawyer they receive. Without quantitative information, it is impossible to measure quality and therefore difficult to guarantee justice.

The highest priority for researchers should be...

ascertaining the elements of a good attorney, quantifying the amount of time an attorney needs to do a good job and identifying areas where public defense resources are being wasted, particularly low level matters that could be decriminalized.

I would be interested in working on research about...

the financial savings associated with reducing mandatory minimums and other wasteful legislative elements to our criminal justice system.

If I was part of a research collaboration, I could contribute...

data, staff, and experience.

Luzi Shi

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Marea Beeman

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Research into the quality of legal representation is important because...

defenders (and funders) need to know what activities and behaviors result in better outcomes for clients so defenders can direct their work and resources to most effectively serve them.

The highest priority for researchers should be...

proof/demonstration that particular defense activities result in desirable (or detrimental) outcomes for 1) clients, 2) justice system, 3) public safety. But short of that, I think it is important to document what it takes to do an effective job - the time, people, activities involved - to inform a) resource justification and b) effective management/supervision.

I would be interested in working on research about...

egads, many things.

If I was part of a research collaboration, I could contribute...

access to practitioners nationwide via NLADA contacts (members/affiliates), a long background and commitment to doing indigent defense system evaluations/research projects.

Margaret Gressens

Research Director, NC Office of Indigent Defense Services
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Research into the quality of legal representation is important because...

without indigent defense outcome data our ability to improve our systems and advocate for fair criminal justice policies is significantly hampered.

The highest priority for researchers should be...

obtaining data on the case outcomes of clients. It is the cornerstone to all quality evaluation. At the end of the day we will always need to look at the impact to client case outcomes.

I would be interested in working on research about...

comparing client case outcomes across delivery mechanisms (PD, private appointed counsel, contract, retained, waived).

If I was part of a research collaboration, I could contribute...

I am already a part of a multi-state research collaboration into measuring the quality of indigent defense, National Systems Evaluation Project (NSEP)

Margaret Martin

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Research into the quality of legal representation is important because...

quality indigent criminal defense provides positive results for each criminal defendant and to the criminal justice system as a whole.

The highest priority for researchers should be...

studying the ways in which excessive caseloads impair representation of criminal defendants and the efficient functioning of the court.

I would be interested in working on research about...

I would be interested in working on research on the ways in which the court system would benefit from an increase in the quality of indigent criminal defense.

If I was part of a research collaboration, I could contribute...

I have 22 years of experience as a Legal Aid lawyer in New York City. Currently, I work for the New York State Office of Court Administration. As a result, I am very familiar with the issues relevant to research into indigent criminal defense.

Mark Courtney

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Research into the quality of legal representation is important because...

adequate legal representation is needed to ensure the rights of vulnerable populations.

The highest priority for researchers should be...

filling the most glaring gaps in our knowledge of what constitutes adequate legal representation using the most rigorous methods available.

I would be interested in working on research about...

representation of indigent parents involved with the juvenile courts through interactions with the public child welfare system.

If I was part of a research collaboration, I could contribute...

knowledge of the operation of the child welfare system, and knowledge of longitudinal and evaluation research methods.

Mark Houldin

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Research into the quality of legal representation is important because...

of the lives and liberty it affects.

The highest priority for researchers should be...

the value of public defense.

I would be interested in working on research about...

client-driven representation.

If I was part of a research collaboration, I could contribute...

ideas on how to practically design research on public defense.

Marla Sandys

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Research into the quality of legal representation is important because...

it can provide information of current practices and reveal possible avenues for reform/change/improvement.

The highest priority for researchers should be...

to be responsive to the needs of defenders.

I would be interested in working on research about...

clients and pretrial practices.

If I was part of a research collaboration, I could contribute...

experience interviewing, developing measures, etc.

Meg Ledyard

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Research into the quality of legal representation is important because...

the more we know the better we can do. Research can help us to know and disseminate which practices produce the best results. Research allows us to better understand the effects of changes in policy and practice on client outcomes. Research will allow us to identify and implement the most beneficial policies, thus focusing our limited dollars in the most effective way.

The highest priority for researchers should be...

measuring the social and economic costs to poor representation, particularly during the pre-trial phases and identifying practices that increase quality of outcomes (caseload caps, incentive based compensation, training, oversight, etc.).

I would be interested in working on research about...

measuring quality, identifying best practices (both for lawyers representing clients, and for those managing the lawyers), incentives and effective representation, and better understanding the effect of low trial rates on plea bargaining outcomes.

If I was part of a research collaboration, I could contribute...

data and statistical analysis, and cost-benefit analysis.

Melissa I. Mackey

Research Director, New York State Defenders Association
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Research into the quality of legal representation is important because...

Public defense providers face extraordinary fiscal resource constraints in NYS and determining best practices while providing concrete data can provide local chief defenders the tools they need to advocate for additional local funding while also providing state and federal agencies the framework for supporting quality representation.

The highest priority for researchers should be...

engaging public defense providers in the process to bolster mutually beneficial research partnerships that target areas of concern and facilitates the transmission of research findings to providers in a timely manner.

I would be interested in working on research about...

better defining the nature of quality representation and how it is operationalized, locally given resource constraints and local legal culture.

If I was part of a research collaboration, I could contribute...

literature review, research methodology design, data collection instrument development, and some on-site data collection.

Mike Tartaglia

Fellow, Sixth Amendment Center
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Research into the quality of legal representation is important because...

we as a nation have a duty to ensure that all the promises of our Constitution are honored, and nothing may be more important than the right to an attorney.

The highest priority for researchers should be...

developing materials to demonstrate the cost-effectiveness of high-quality legal defense.

I would be interested in working on research about...

bail reform efforts and judicial influence over public defenders.

If I was part of a research collaboration, I could contribute...

my willingness to work closely with currently- and formerly- incarcerated individuals to evaluate their experiences with public defenders.

Nicole Gonzalez Van Cleve

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Research into the quality of legal representation is important because...

it is the only way to assess whether procedural guarantees are making a difference in how defendants experience justice. It is only through examining how attorneys are interpreting zealous advocacy in their communities of practice that we understand how rights are made meaningful in practice.

The highest priority for researchers should be...

examining how defense attorneys are impacted by their fellow workgroup members. Judges and prosecutors have obligations to ethical standards of practice and their interpretation of these ethics and rules is important to understanding how defense attorneys navigate zealous advocacy. Research often focuses on one central player rather than seeing attorneys (be it prosecutors, defense attorneys or judges) as being impacted by a community of lawyers.

I would be interested in working on research about...

how defendants view the quality of legal representation offered to them and how that impacts their views on the legitimacy of the system.

If I was part of a research collaboration, I could contribute...

a multi-methods approach to the study of criminal courts and criminal justice actors. I conduct ethnography, interviews, and large-scale, qualitative data collection in courtroom settings.

Nora Christenson

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Norman Effman

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Research into the quality of legal representation is important because...
we need to find and eliminate ineffective mandated representation

The highest priority for researchers should be...

The quality of mandated representation and relation to case load of attorneys.

I would be interested in working on research about...

the quality of instructional providers as compared to assigned counsel and retained counsel.

If I was part of a research collaboration, I could contribute...

46 years of experience as a criminal defense lawyer in both the private and public criminal defense community.

Norman Lefstein

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Research into the quality of legal representation is important because...

we desperately need to persuade those who fund defense services for the poor of the enormous inadequacy of the available funding and why it matters to the accused and to the criminal justice system as a whole.

The highest priority for researchers should be...

to convince those who fund defense services of ways in which defense lawyers are not able to fulfill their ethical and legal duties to provide competent and effective representation due to excessive workloads and inadequate support services.

Norman Reimer

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Research into the quality of legal representation is important because...

the right to counsel is hollow if those who fulfill the Sixth Amendment are under-resourced, ill-prepared, or otherwise chilled in their capacity to deliver meaningful and effective representation.

The highest priority for researchers should be...

identifying and quantifying substandard representation, its causes and solutions..

I would be interested in working on research about...

ensuring the presence of counsel at any appearance at which liberty is at stake or a guilty adjudication may be entered to any criminal charge, caseload management, appropriate workload metrics, and ending "meet and plead" practices.

If I was part of a research collaboration, I could contribute...

Given my role as Executive Director of NACDL, with a portfolio that embraces the full array of criminal justice issues and operating oversight of the organization, my main contribution will be to deploy appropriate staff and garnering resources to support research, training and reform efforts.

Pauline Brennan

Associate Professor and Doctoral Program Chair, School of Criminology and Criminal Justice,
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Research into the quality of legal representation is important because...

the type of legal representation will likely affect criminal justice outcomes (e.g., pretrial release, conviction likelihood, imposed sanction).

The highest priority for researchers should be...

in determining whether there are differences in the type of legal services provided to minority vs. white offenders.

I would be interested in working on research about...

differences in the types and quality of legal representation given to white vs. minority offenders at different stages of court processing.

If I was part of a research collaboration, I could contribute...

my knowledge about racial/ethnic disparity in criminal court processing outcomes.

Patricia Warth

Chief Hurrell-Harring Implementation Attorney, New York State Office of Indigent Legal Services
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Peter A. Collins

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Research into the quality of legal representation is important because...

Our legal system is built to be adversarial, however, too often it seems that the resources and power between prosecution and defense are not balanced, especially the defense of our poor and minority populations. The law and justice can indeed be in accordance with one another if all members of the court have the necessary training and resources to fulfill their constitutional mandate. From whatever socio-legal-economic standpoint, it is important to gain a better understanding of how our system is operating, what programs are useful and which are not, and how we can improve the legal process so that those people who come into contact with it are not deprived of their own liberty without due process. Therefore conducting research on legal representation, for example, plays an integral part in the maintenance and improvement of our legal system.

The highest priority for researchers should be...

a combination of the following: 1) partnership with local defense (and other courtroom actors) in order to improve data quality and collection, and improve access to data; 2) partnership with local agencies to gain a better understanding of the issues that are present within that particular environment, which will also guide the formulation of better research questions; and, 3) the utilization of experimental and quasi-experimental research designs for quantitative studies and the employment of rigorous qualitative methods in order to provide a deeper understanding of the various contexts under study.

I would be interested in working on research about...

1) quality of legal representation; 2) effects of decriminalization of formerly illicit substances on caseloads; 3) the economic impacts from various policy decisions, such as costs associated with the pursuit or abandonment of the death penalty; and, 4) the links between civil-legal statutes (such as those that target the homeless and those that are used to detain status-offending/truant youth) and future criminal justice system involvement.

If I was part of a research collaboration, I could contribute...

I am a social scientist/criminal justice researcher by training. I have a deep interest in the law and have become increasingly involved with projects with my colleagues from our law school as well as other legal professionals. My role within these various projects and collaborations has been, and continues to be, primarily research based.

Raj Jayadev

Executive Director, Silicon Valley De-Bug /Albert Cobarrubias Justice Project
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Research into the quality of legal representation is important because...

I want to know the context and data surrounding our work which is family and person specific. I know what the stories are, but I want to know the backdrop of those stories.

The highest priority for researchers should be...

how those who are being represented can have the most impact on their case and the criminal justice system.

I would be interested in working on research about...

how client communities impact, and can potentially impact the court process.

If I was part of a research collaboration, I could contribute...

story-telling, media, that captures the experiences and perspectives of those who are represented (and their loved ones) by attorneys in the courts.

Reveka Shteynberg

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Research into the quality of legal representation is important because...

it provides insights into how legal representation actually works, what about it doesn't work, what needs to change, and ways that defenders can provide quality representation given their office and county structures.

The highest priority for researchers should be...

collecting and analyzing primary data from the sources - particularly from the courts, defenders, prosecutors, pretrial treatment practitioners, jails, prisons, parole departments and, last but certainly not least, the defendants themselves.

I would be interested in working on research about...

the ways that different counties adjudicate defendant's - from the point of view of the practitioners (particularly the defenders and prosecutors) and defendants. Moreover, how the plea process works at each individual and process-oriented level.

If I was part of a research collaboration, I could contribute...

qualitative and quantitative research regarding the adjudication process and outcomes starting from time of arrest.

Richard Hartley

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Research into the quality of legal representation is important because...

even 50 years after the Gideon v. Wainwright decision, the quality of legal representation is still in question in many counties across the country.

The highest priority for researchers should be...

collecting data and conducting empirical research to increase knowledge about how differences in quality of legal representation affects outcomes.

I would be interested in working on research about...

outcomes at various stages in the administration of justice to ascertain any differences between defendants represented by appointed, public defender, and privately retained counsel.

If I was part of a research collaboration, I could contribute...

research and analytic skills.

Robert Boruchowitz

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Research into the quality of legal representation is important because...

it can inform both funding decisions and evaluation and allocation of defender services.

The highest priority for researchers should be...

the impact of reasonable caseloads. This should be multilayered, including both outcomes for individual clients and the impact of the role of the defender in the broader system.

I would be interested in working on research about...

caseloads and advocacy for systemic reform.

If I was part of a research collaboration, I could contribute...

I have 41 years of defender experience and have helped to develop standards at the local, state, and national levels. I have practiced at every level of state and federal court.

Ronald Wright

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Research into the quality of legal representation is important because...

the data is just now becoming available to spot meaningful trends.

The highest priority for researchers should be...

to influence routine data collection.

I would be interested in working on research about...

interactions between defense counsel and prosecutors.

If I was part of a research collaboration, I could contribute...

realistic field-based assessments of the habits and incentives of the attorneys, judges, managers, defendants, and victims.

Suzanne Strong

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Research into the quality of legal representation is important because...

We do not currently have national level statistics on quality representation because we cannot currently measure it.

The highest priority for researchers should be...

Collecting and disseminating accurate statistics that capture issues that are important to the field.

Valerie West

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