

National Defender Leadership Project

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Ultimate Advocacy: A Defender's Guide to Asset-Based Management

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About the *Ultimate Advocacy* series

A Defender's Guide to Asset-Based Management is the third booklet in the National Defender Leadership Project's *Ultimate Advocacy* series. The first booklet, *A Defender's Guide to Strategic Management*, highlights the three issues defender leaders should consider when developing an initiative – *What is its value? Who will support it?* and *Is it doable?* – and offers guidance on describing the benefits defender agencies provide, securing support from parties with a stake in effective indigent defense, and finding resources.

The second booklet, *A Defender's Guide to Reflective Practice*, outlines a structured process that defender leaders can use to think about, and learn from, their experiences. It explains how reflective practice strengthens relationships (with the public and with other members of the criminal justice system), prevents misunderstandings, and helps defenders anticipate – and meet – leadership challenges. *A Defender's Guide to Reflective Practice* also offers practical advice on applying the reflective approach and on making reflection part of office culture.

About the National Defender Leadership Project

The National Defender Leadership Project (NDLP) provides training, produces publications, and fosters discussion, all with the aim of helping defender managers fully realize their leadership roles in the criminal justice system. It brings together defender managers from across the country to share ideas and explore ways to shape criminal justice policy.

The project is a joint effort of the Bureau of Justice Assistance (BJA), United States Department of Justice, and the Vera Institute of Justice. The Bureau of Justice Assistance is an agency within the United States Department of Justice. Its mission is to provide leadership and assistance in support of local criminal justice strategies to achieve safe communities. BJA's overall goals are to reduce and prevent crime, violence, and drug abuse, and to improve the functioning of the criminal justice system. To achieve these goals, BJA programs emphasize enhanced coordination and cooperation of federal, state, and local efforts.

The Vera Institute of Justice is a private nonprofit organization dedicated to making government policies fairer, more humane, and more efficient. Working in collaboration with public officials, Vera designs and implements innovative programs that expand the practice of justice and improve the quality of urban life. Vera operates demonstration projects in partnership with government and conducts original research. Through its National Associates Programs – including NDLP – the Institute also provides technical assistance to public officials and communities in New York, throughout the country, and around the world.

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In Casper, Wyoming, the public defender office shares a floor with the Natrona County Human Services Commission. A sign with a detachable arrow points to the defender. One day a prankster turned the arrow around and a public defender client ended up at the human services commission, where he paused long enough to browse through a display rack. By the time he arrived at the defender office, he had acquired a pamphlet from a job-training program and a determination to enroll. The commission helped him apply, his lawyer used his acceptance letter to negotiate a suspended sentence, and the client entered the program.

At first, the defender office viewed this event simply as material for a funny story. "I never thought of it as anything more valuable than an anecdote to tell at parties," Will Bierman, Casper's public defender, says. "But here's a community resource that actually helped a guy, and we couldn't see it right in front of our faces."

Bierman's story is funny, but he drew an important lesson from it: "It taught me to think like a member of the community." This program brief asks you to do the same thing. It advocates asset-based management, an approach that will help you reconsider your role in the community and find new ways to identify and benefit from its resources.

The brief is based on the work of John P. Kretzmann and John L. McKnight of Northwestern University, who pioneered the asset-based approach in their work on community development. In such publications as *Building Communities from the Inside Out*, Kretzmann and McKnight have outlined the philosophical and practical reasons for focusing on community strengths. Their efforts to rebuild troubled neighborhoods have important implications for defenders.

Asset-based management is a supremely practical approach – and also a radical innovation. It focuses on what works, not what needs fixing, and helps you build on the strengths you find. At the same time, it counters traditional views about your clients and their communities and challenges you to do the same.

In the end, asset-based management requires a sweeping new vision of indigent defense. It pushes you to broaden your office's mission and find new ways to accomplish its goals.

Asset-based management for defenders

Defenders often see clients as a bundle of deficits. We see their arrest records, probation violations, chemical dependencies – all their needs, everything that's wrong or dysfunctional. It can be demoralizing over the long run to think that way.

John Stuart, Minnesota State Public Defender

The asset-based philosophy

Poor communities – the communities you serve – are almost always defined by their deficiencies. People think in terms of what these areas lack: economic well-being, stable families, safe streets, good schools. It's not only cynical or unfeeling people who hold this view. Even people working to help these communities emphasize needs. They highlight problems to secure funding and resources – or, in the case of defenders, to help their clients in court.

Several factors push defenders, perhaps even more than other people, to emphasize deficiencies. In many cases, the defense function requires it. Stressing a client's needs can affect a prosecutor's offer. After a guilty verdict or a plea, it can lead to a lighter sentence.

Negative information is also easy to find. Sometimes it's painfully obvious. The very reason defenders are assigned their clients, after all, is their poverty. If clients have other problems – mental illness, addiction, the legacy of a bad education – they're often apparent too. And, since clients frequently absorb society's opinions about them, they can be just as quick to emphasize the negative.

Defenders' difficult position, as advocates for people who are widely despised, also plays a role. The public, largely hostile to criminal defense lawyers, rarely acknowledges their accomplishments, or even recognizes them. To many people, defenders' victories – a reduced charge, a suspended sentence – look like failures.

For all these reasons, defenders sometimes begin to accept the stereotypical views of clients and their communities. As a result, they often fail to look for allies. They don't seek out the resources that could help them do their work.

Enlarging your view

What happens when you look at your clients and their communities through a wider lens, one that takes in their strengths as well as their weaknesses? You see resources: people with an incredible range of knowledge and talent, the associations they form, and institutions that are deeply involved in the life of the community. John Kretzmann calls this “the power of finding out.” It's one of the hallmarks of asset-based management.

Kretzmann and McKnight's own experience shows how different a community can look from this new perspective. To many people, the Chicago neighborhood Grand Boulevard appears to be a decaying area with few resources and little hope. But in 1996, Kretzmann and McKnight decided to find out how many organizations existed in the neighborhood, then the fourth poorest community in the United States. Even they were surprised when their survey turned up three hundred small, voluntary citizens' associations. A second survey, in 1998, found six hundred, from scout troops to twelve-step programs, sports leagues to neighborhood watches,

stamp-collecting clubs to support groups for victims of domestic violence. These groups play a vital role in every community. Yet all too often, efforts to solve community problems pass them by.

You might be equally surprised if you took a similar approach to the community you represent. You'd find familiar resources – caring individuals, powerful

institutions – but in numbers greater than you might have imagined. You'd also find myriad citizen groups, whose existence you might never have suspected.

But to seek out the good, you must first believe there is good to find. This can be hard if you're used to concentrating on the negative. Yet learning to look for the positive will help you adopt a fuller, more nuanced, more accurate view of communities often portrayed in stark, one-dimensional terms. It

will help you better serve your clients.

You must also be open to using the assets you discover, often in novel ways. This entails another broadening of your view – in this case, your view of what counts as a resource. For many defenders, “resource” means only one thing: money. But it's unlikely that your office will ever have enough funding. Since you can't rely on money to meet all your needs, doesn't it make sense to look for other kinds of help? If you expand your definition of resource to include community assets, you'll find many more sources of support.

A new vision of the defender's role

Asset-based management asks you to make yet another change in perspective: to look more broadly not only at the community, but also at your role within it. For defenders, who often see themselves solely as courtroom advocates, this is the most sweeping shift of all.

Some of your colleagues in the health-care field have already made this change. Many doctors, frustrated by their traditional task of responding to illness, now take active steps to help their patients prevent disease. But a few have gone even further. According to their new, more expansive vision, their mission goes beyond averting sickness. Their role is to promote health.

What is the role of your office? Is it strictly to treat the symptoms – the charges your clients face – by defending them in the legal arena? Or, in addition to providing a vigorous legal defense, is it to prevent the “disease” of crime by guiding your clients to the services they need? Or does it also include fostering the community's health by steering your clients back to productive lives? In asset-based management, the third formulation – the broadest and most radical of all – defines the role and responsibility of a defender office.

Imagine a defender client, Robert, a man who was recently charged, for the first time, with possession with intent to sell. He faces a five-year sentence. Robert is a chronic drug abuser who has been arrested many times for nonviolent offenses; over the years, he moved from buying drugs to selling them, in order to support his habit. An unreliable worker, he has been fired from a series of menial jobs. After his wife moved away several years ago, he had little contact with his children. His parents and siblings, disgusted with his failures, want nothing more to do with him. Yet one of Robert's children, now grown, recently reestablished contact with him. And, despite his spotty employment record, Robert is a highly skilled carpenter.

If Robert goes to prison, he will be cut off from the son who has taken an interest in his life. Chances are, his substance abuse will go untreated, and it might get worse. When he is released, he might graduate from selling drugs to more serious offenses; if he is arrested again, he will surely return to prison. But if Robert receives a suspended sentence, he can enter a treatment program. He will maintain his ties to his son, who will support his efforts to address his addiction. He'll stand a better chance of finding, and holding down, a job. He might even find a way to make use of his talent at carpentry.

Like Robert, many of your clients are teetering on the edge. If they tumble over, they will fall into criminal activities or prison careers – and cut their ties to their communities. But if they steady themselves, they can step back from the brink and regain their footing in the community, becoming productive spouses, parents, workers, citizens.

Defenders are perfectly positioned to catch people like Robert before they fall over that edge. They're the ones – sometimes the only ones – standing with their clients. Yet defenders sometimes focus so hard on keeping clients from the abyss that the abyss is all they see. In pulling their clients away from the chasm, they may neglect to turn around and lead them back to the community.

But your clients need your advocacy there as much as they need it in the courtroom. Members of the community sometimes give up on them, and doubt they can be reintegrated into neighborhood life. Your clients need your help in persuading their communities to give them another chance.

The Roberts of the world also need drug treatment and mental health counseling and employment training. They need outlets for their talents – in writing, in art, in working with computers – to avoid temptation and contribute to the community. They need mentors to guide them and supporters to vouch for them.

This is where asset-based management comes in. By steering you to the community, it helps you find these resources and engage the people whose support your clients need.

Our experience has put the lie to the notion that defenders have no constituency. The community is rich in civic awareness and pride and a sense of participation.

Leonard Noisette, Director, Neighborhood Defender Service of Harlem

We need to realize that clients' immediate need for a lawyer is merely a point of departure. In the process of making clients part of the defense team, we give them a voice. In the end, we become better advocates.

Margarito G. Rodriguez, First Assistant Public Defender, El Paso, Texas

Finding client and community assets

Defender offices often serve clients who are repeat offenders, who have failed at supporting themselves, whose own families have largely given up on them. These clients' assets might not be obvious, but they exist, and you can make good use of them – not only to mount a defense, but also to divert clients back to the community and help them succeed once they return.

Is your office set up to find and use your clients' assets? Does it look for, and foster, the community support that is vital to their reintegration?

- > Does your staff find out about clients' skills, talents, and interests? Do they automatically think to ask clients about these issues? Could your intake form uncover this information – or help staffers develop the habit of asking about it?
- > How does your staff find the people who could support clients' efforts to remain in the community? Do they ask their clients to name people who had a positive impact on their lives, and who might take an interest in helping them when they return to the neighborhood? Do they ask family members and others connected with your clients – even if they're not supportive – about such people? Do your investigators look for them?
- > Does your office have a presence in your clients' communities? Has someone on staff ever spoken at local churches or other institutions in your clients' neighborhoods? Have you ever invited community members to your office, to meet your staff and learn more about what you do? Do you keep track of contacts your office has made, and who made them?
- > Would former clients make good mentors for your current clients? Do you keep a list of ex-clients who might be willing to take on this role?
- > Does your staff know how to investigate community service or employment opportunities for clients? What clearinghouses or other resources could help them locate this information quickly? Does your office keep a list of resources staff have used in the past?

Making connections, finding assets

How do you translate the asset-based philosophy into practical steps that will connect you with resources and help your clients? By being involved in community life. This is not a matter of making the occasional speech. It involves a commitment to outreach, to creating understanding and trust by giving residents the chance to know you. This can happen only if your office takes the time to build – and maintain – relationships.

Defender leaders sometimes worry that their agencies' size or structure makes engaging with the community difficult. It's true that neighborhood-based offices have advantages on this front: many are set up with outreach as an explicit goal, and they may hire staff whose sole responsibility is to enhance community relations. Large agencies sometimes have the resources to hire social workers or other staff who can devote themselves to community ties.

But no matter what type of office you run, you have many options for making connections. Setting up informational meetings, for example, can lead to helpful new programs and contacts. Even the gesture of emphasizing your availability can have an impact. If your community views your office as approachable, it will be more likely to offer its resources.

Consider the experience of public defenders in Waukesha, Wisconsin, who found a simple way to strengthen ties to their community. Realizing that an existing

activity, weekly all-staff lunch meetings, could be an outreach tool, they decided to invite representatives from community agencies. Sometimes the meetings offer a chance for people who have talked on the phone for years to finally meet. More often, they bring in people the office doesn't know well.

According to First Assistant Public Defender Robin Dorman, the process has been both easy and productive. At one lunch, the office learned that the guests' organization ran 15 programs that could help its clients. Few on staff had known about any of them. Equally important, guests appreciate the invitations. "People from the community love coming in to meet us and seeing where we work," Dorman says. When they leave, they not only know more about the office's staff and activities, but also feel more connected to its mission.

In the end, each office has to find its own path to the community. It might be a series of simple steps, like the one in Waukesha. Or it might involve bigger changes – creating a new position devoted to outreach, for instance, or forming a new alliance. Most likely, it will be some combination. As you think about what path to take, it might be helpful to consider two categories: help you can get through your office and help from outside.

You can't wait for people to come and talk to you – why should they? The way to be part of a community is to get to know it. So rather than sitting around and waiting for people to invite you over, knock on some doors.

Gabriella Celeste, Staff Attorney, Juvenile Justice Project of Louisiana

Office assets: clients and staff

In moving toward asset-based management's broader perspective, don't forget to look for resources close to home. The people your office serves, and the people it employs, are important sources of help.

Clients as collaborators

"How can you see your clients' positive side when everything around you focuses on the negative side?" That's how Margarito G. Rodriguez, first assistant public defender in El Paso, Texas, sums up the challenge defenders face every day. "The best way to discover your clients' positive side is to make them part of the defense team," he says. But you can do this only if you look beyond their needs.

What are your clients' assets? This is a question you should ask all the time. Do your clients have jobs? Do they have supportive families? Do they have high school or college degrees? Are they artistic? Do they write well? Do they belong to any clubs or groups?

To encourage staff to look for clients' assets from the start, many defender offices are revising their intake processes. For instance, Boston's Youth Advocacy Project (YAP) modified its intake form to include more questions about its clients' strengths. In using the form, lawyers had traditionally focused on negative information like arrest records or family problems. But YAP realized the form could encourage lawyers to take a more balanced view. Today it contains additional questions designed to elicit positive information that will humanize clients to the court. "As the lawyers get more experience, they'll learn to ask these questions on their own," says Christine Fiechter, YAP's assistant director. "But in the meantime we need some questions on the form to prompt those thoughts – to remind them that maybe a kid volunteers somewhere, or is in a youth group, or has extended family he can stay with."

Once you get in the habit of looking for clients' strengths, you'll probably be surprised at the talents and ingenuity you find. That's been the experience of another youth-focused defender agency, the Juvenile Justice Project of Louisiana (JJPL). JJPL has used its clients' assets to successfully argue for several modified dispositions.

In one case, a teenager had managed to survive the extremely violent environment of the Tallulah Correctional Center for Youth without a single disciplinary citation, an almost unheard-of feat. In getting to know him, his defender, Gabriella Celeste, discovered that the boy had also become a source of inspiration and support for other children at the facility. He had even started an informal support group, in which the boys talked about their current experiences and plans for the future – "not only how to stay out of trouble," Celeste points out, "but also how to succeed." She decided to file a motion to modify based on her client's exemplary behavior and leadership. "It was the first time I've heard a judge in open court say he respected the youth for what he had accomplished and was proud of him." The boy was

released on parole and is now living with his grandmother and working at a hotel.

Another JJPL client, disappointed that his facility lacked the substance abuse treatment he needed, started his own twelve-step program, which he convinced several other boys to attend. David Utter, JJPL's director, focused on this resourcefulness in his motion to modify, and the boy was released on parole. He now has a job, and his parole officer reports that he is doing well. A third teenager wanted to pursue a high school curriculum, but his institution didn't offer one. The client turned out to be extremely intelligent: he consistently scored 130 or higher on the IQ test and, at age 14, he received a 26 on the ACT college entrance exam (the average for undergraduates at Louisiana State University is 23.5). Using these facts, his lawyer, Derwyn Bunton, convinced a judge to release him to a group home, which allowed him to attend an advanced placement program. He is first in his class and president of the student council.

Your clients have the potential not only to be partners in their own defense, but also to help your broader work. They might steer you to new resources. Or they might help you reach members of the community who are suspicious of your office. Your ex-clients might even act as mentors. They could help your current clients understand the criminal justice process and the consequences of cutting their ties to the community. Equally important, they could provide positive examples of people who have turned away from the edge – and turned their lives around.

Making the most of your staff

Your staff is essential to the process of forming and maintaining ties to the community. This is a practical matter – no single person could perform this role alone – and also a philosophical one. By enlisting the aid of your staff, you signal to them, and to the community, that outreach is central to your office's mission.

Should everyone on staff be directly involved in outreach? That's the ideal. But the reality of life in defender offices makes it a hard goal to attain. Busy trial lawyers, for instance, might not be able to spare much time. As a manager, you'll always shoulder the main responsibility for this activity, the same way you take the lead in matters like arguing for your office's funding.

Yet in the latter case, you still insist on help. You don't expect your lawyers to put aside their caseloads to hash out budget details or testify before your funders. But you do expect them to be involved: to project their expenses, for instance, or to advise you in setting priorities. Your lawyers, in turn, understand the importance of the budget process to their own work and to the office as a whole. With asset-based management, your challenge is to help your lawyers, and everyone else on your staff, recognize that they have the same stake in community engagement, no matter how large or small a part they play in outreach activities.

In some cases, it might be possible to make outreach a formal responsibility for certain staff members. But even if you can't officially designate someone to handle

this responsibility, your staff might be able to help in less formal ways. You might discover, for instance, that some people welcome the chance to spend more time in the community, and would willingly take on this responsibility even if it isn't part of their job description.

Often, however, you can take advantage of your staff's existing activities and ties to build connections to the community. Look beyond your lawyers as you think about this possibility. Support staff, for instance, can be extremely helpful in this task. They are often your clients' first contact with your office, calming, educating, and assisting them before lawyers even become involved. Yet these staff members, as well as investigators and other support staff, sometimes feel that their contributions are overlooked. Involving them in the outreach process will show that you value them.

It's worthwhile to find out about the ways your entire staff is connected to the community. You might consider a survey: most likely, you'll be amazed at the breadth of your staff's activities. A survey showed Joseph Carter, chief public defender of Minnesota's First Judicial District, that his lawyers alone provided connections to high schools and colleges, the PTA, churches, a children's home, a shelter, the Boy Scouts, a local chamber of commerce, a preservation council, the state Planned Parenthood office, and the Paralyzed Veterans of America. You might also think about finding some concrete way to document your staff's assets – a map showing all the places where they have ties, for instance, or a directory that lists their skills.

Will the connections you find translate directly into help for your office? Not always. If you're lucky, you'll turn up an activity or a talent you can put to use right away. Perhaps someone volunteers with a group that can help one of your clients, or knows a person you've been trying to meet. Any kind of link – to a church, a civic organization, a local school, a sports program – has potential. But even if you don't find information you can use right away, you may gain valuable ideas: for new projects or new types of outreach, or for new sources of support for your existing work.

Outside your office: partners and volunteers

No matter how much help you receive from staff and clients, you'll still need to turn to resources outside of your office. One option is to collaborate with an outside party; another is to use the talents of volunteers.

Joining forces: partnerships

Partnerships can take a nearly infinite variety of forms. Some involve structured relationships. In New York, for instance, the Legal Aid Society has established a formal partnership with the Highbridge Community Center, a social services agency in the Bronx, and Fordham University's schools of law and social work. Fordham students are trained to work with the center on community outreach, under the supervision of Legal Aid lawyers. Through this arrangement Legal Aid gets direct legal help, as well as indirect help in the form of community services performed for its clients. "Our office is on one side of Yankee Stadium; the Highbridge Center is on the other side," says Monica Drinane, attorney-in-charge of the juvenile rights division. "Without this project, the connection wouldn't have been made. It got us out more into the community and brought the community more into the office. They became a real resource for our clients."

Some partnerships involve less formal arrangements. That's the route the Casper, Wyoming, defender office took with its down-the-hall neighbor, the human services commission. In Minnesota's Ninth Judicial District, help came in the form of cooperation between the public defender's office and the Red Lake Band of Chippewa Indians. The band offers substance abuse treatment and other programs. But because its reservation is closed (the state has no jurisdiction), many criminal justice personnel were unfamiliar with these services, and sometimes openly skeptical of them. As a result, many Native American defender clients were deprived of funded treatment options on their own reservation.

Kristine Kolar, the district's chief public defender, realized that the officials needed to see the facilities and get to know their staffs. But first she had to get them to the reservation. She approached the treatment center and asked them to provide transportation to bring local prosecutors, judges, and probation officers to the reservation for a tour. For many, it was their first visit. "The trip opened everyone's eyes," Kolar says. "It was so simple, but it had huge ramifications for our clients." Now that the lines of communication are open, officials routinely send clients to the Red Lake services. The probation office has even begun holding regular office hours on the reservation.

In Boston, the Youth Advocacy Project (YAP) teamed up with the Children's Law Center (CLC) to seek funding for a new staff lawyer to work on education issues. The two groups serve many of the same clients, but their staffs have different areas of expertise. So working jointly makes sense.

The partnership also brings YAP access to funders it couldn't previously approach because it isn't a private nonprofit group (CLC is). CLC, which is located in Lynn, Massachusetts, gains too, since it can now tap funders who give only within Boston. In fact, the two groups agreed at the outset to target only new funders that the other group couldn't otherwise approach.

An expanding web of community connections

After a client's accidental contact with the Natrona County Human Services Commission helped his lawyer negotiate a favorable sentence, Will Bierman, Casper, Wyoming's public defender, decided to take a closer look at the agency. Although the two offices are on the same floor, Bierman knew very little about his neighbor. Except for coveting its space, he jokes, he hadn't ever given the commission much thought.

So he decided to seek out its executive director and learn more about its services, which, he discovered, include health care, employment training, and counseling. Bierman now routinely sends clients to the commission. In fact, he usually walks them there himself, shows them what's available, and joins the initial consultation with the counselor. Of course, some clients aren't interested in the help. "But for every two or three of those, there's one who comes back with at least an opportunity."

The commission's resources have made a big difference. "I see not only how they help the individual personally, but also how judges prefer it when I have a cogent plan of attack. Instead of just saying, 'Don't do what the state's asking you to do,' I can offer an alternative." For instance, Bierman had a client who was charged with several drug-related offenses. He got her unsupervised probation by presenting correspondence showing that she had been accepted into a program to train chefs.

Another recent experience shows how even a single connection can spiral outward, leading to more contacts and more help for clients. In this case, a man and woman who had been arrested for selling methamphetamine were unable to post bond. The couple had three school-aged children, and were worried about them. Bierman approached the human services commission to see what kind of help was available. The commission was able to meet one of the family's immediate needs, for medical attention, through its health-care program for homeless people.

But this was only the start. A minister in the program's oversight group took an interest in the case and met with Bierman and the couple. He then convinced a relative, who was in the business, to post bond. But the minister did even more: he arranged for a house for the family and clothes for the kids. "It was like a spider web, with my client and me at the center, then slowly going out," Bierman says. "First there was the traditional program, health care, funded by the county. From there it went to the ministry level, and from there to personal intervention."

Then came sentencing. "You bring a guy in to court in jailhouse orange and shackles to get sentenced for a delivery-of-methamphetamine charge, and the judge is going to take one look at him and say, 'Rawlins' [site of the state penitentiary]." But thanks to the help he received, Bierman's client made a very different impression. "By the time we got to sentencing, he'd been out about four months. Through having a home, a safe haven, all those needs met, he was able to get some work and save a little money."

The judge took notice. Bierman's client had been convicted of delivery and conspiracy-to-deliver charges. In Natrona County, these convictions, if first felonies, typically draw at least a three-to-six-year suspended sentence and three years of supervised probation, along with nine months at a halfway house. But Bierman's client received a suspended sentence of two to four years and two years of supervised probation, with no time at a halfway house – even though he had a previous felony conviction.

Inspired by his experience with the human services commission, Bierman now searches widely for ways to help his clients. For instance, he recently conducted an interview at a mental hospital. Before leaving, he made a point of finding out about the facility's programs, a step that probably wouldn't have occurred to him in the past. "Now I always look for resources that can benefit my clients and benefit me in representing them in court," he says. The other lawyers in his office, seeing the results, are following his lead.

As the Casper defender office expands its web of connections, it is also increasing its influence within the criminal justice system. Bierman now has a reputation as someone connected to the community. That reputation, in turn, led directly to his appointment to a statewide commission looking at juvenile justice. Initially, the commission didn't include a single defender. Then Bierman's name came up. Because of his links to the community, members felt comfortable with the idea of his participation.

"I would have roundly criticized the commission for even attempting to review juvenile justice without a defender representative," Bierman says. But today, he is that representative. And he didn't even have to fight for his spot.

Christine Fiechter, YAP's assistant director, points to another advantage: partnerships make YAP seem less threatening to funders who might shy away from supporting criminal defense. They're "a way to bring attention to us in a nonscary way. It allows us to leave the adversarial piece in the courtroom, to have something else to talk about."

Tapping the talents of volunteers

Volunteers pose a challenge for defender leaders. In theory, most agree, they are a wonderful resource. But in practice, defender leaders are often unsure how to use volunteer help. Many tell stories of enthusiastic, capable people they've had to turn away. Others describe failed programs that wasted staff time and disillusioned the volunteers themselves.

By emphasizing clear goals and thorough preparation, defenders in Alaska and California have developed volunteer programs that avoid these pitfalls. Both programs address the needs of troubled families. The Alaska Public Advocate has helped thousands of children in state custody through its version of the national Court Appointed Special Advocate (CASA) program, which relies on volunteer guardians ad litem. In San Diego, volunteers with the Office of the Alternate Public Defender's Family Advocate Program (FAP) focus on the parents, helping them comply with court-mandated reunification plans.

Both programs devote considerable effort to the initial volunteer screening process. CASA uses interviews and questionnaires; screeners eliminate any candidate if even the slightest doubt arises. FAP questions candidates closely to be sure they share the program's philosophy of reuniting families. Volunteers who make it past the screening undergo lengthy training: 30 hours for CASA; 16 hours, followed by continued monthly sessions, for FAP. "The folks we get are sterling volunteers," notes Brant McGee, Alaska's public advocate. "We rarely have problems because we're so tight on the screening."

Initially, McGee thought the CASA program would save his office money. "I thought we'd be able to handle more cases more cheaply," he says. "But that's just not true. What we can do, though, is provide superior advocacy for each child." The volunteer advocates have time to investigate cases thoroughly, to meet with children, teachers, doctors, parents, enforcement agencies, therapists, attorneys. "There are lots of things to be discovered about families and children that a cursory investigation will not touch. It's amazing how often the information the CASAs dig up becomes pivotal." FAP volunteers also supply vital services for parents in dependency – help with budgeting, reestablishing a home, getting to appointments – that defenders don't have time to provide.

Because their benefits are so clear, both programs have widespread support among the staff. "In dependency, the clients need lots of help, so if attorneys can get

somebody to help with those clients, it's very welcome," according to Timothy A. Chandler, alternate public defender for San Diego County.

McGee says that several nonlegal staff members have been so impressed by the CASA program that they have become volunteers themselves. He adds that there has been extensive staff interest in participating in the CASA training, which is always after hours or on weekends. "We're constantly made aware of how much the program enhances the quality of the services we deliver to kids. That's a big staff motivator to make it work."

Can I use this approach in real life?

This sounds like something for a specialized, community-based defender office. Does it really apply to me if I'm not in one of those offices? Yes. Every defender office needs community connections. No matter what kind of office you run – community- or courthouse-based, trial or appellate – you need trust and cooperation from defendants and their families, which are fostered by strong community ties. You need resources for your clients, which an asset-based focus helps you find.

There is a long list of practical reasons to engage with the communities you serve. The most obvious is the simple truth that your office is unlikely to be funded at the ideal level. Economic downturns, political hostility, public indifference – these and many other factors will keep your budget lower than you'd like. Given this fact of defender life, it makes sense to look for resources other than money. The community is the place to find them.

Outreach also has very direct benefits for your legal work. For instance, if members of the community are familiar with your office, investigators will have a reservoir of trust and goodwill to draw on, and they'll be better able to find the information lawyers need. You'll also be far better equipped to promote alternatives to incarceration if you're familiar with community resources. Showing a district attorney or judge the resources you've identified – a treatment program, a community group, a mentor – will strengthen your arguments for a reduced charge or a suspended sentence.

Finally, no matter what kind of office you run, asset-based management helps you better serve your clients. It enables you to represent their interests not only in the legal arena, but also where they live and work. It helps your clients improve their lives, making them more successful and productive citizens.

Where will I find time for all this? Asset-based management involves finding community resources, meeting people, keeping relationships going, monitoring partnerships and projects – all of which eat up time. In the long run, however, these activities may actually save time in other areas. For

instance, your investigators will get information more quickly. And you'll already have support networks in place when a crisis arises.

One way to make outreach less time-consuming is to capitalize on the skills and connections people already have. Another is to involve as many of your staff as possible. Spreading the work among a large group will reduce the burden on individuals (and, of course, it will also greatly extend your reach and visibility). You might also consider recruiting community activists for your office's advisory board or holding an event to familiarize them with your office.

Still, you and your staff will have to devote time to making new connections, and then sustaining them. It might be helpful to provide training or guidance. For instance, more experienced staff might offer advice on how to make presentations or seek out partners. Or you might consider producing written guides – a manual or even a simple list of tips – that staffers can consult.

These steps will help, but you still may find that the asset-based approach takes extra time. Fortunately, many defenders find that the time is justified. The benefits of asset-based management are simply so great that they feel it's a commitment worth making.

How do I sell asset-based management to my staff? Sometimes people misunderstand asset-based management, thinking it is merely a feel-good approach. If that's the case with your staff, try outlining its many practical advantages: help for their direct legal work, resources for the office and their clients, support networks to draw on in times of crisis.

But often all it takes is involving your staff in the process. Ask staff members – all of them, not just the lawyers – about their interests, skills, and connections. Solicit help in defining communities to target (parents, churchgoers, athletes, homeowners). Consider their varying views on how to connect with these groups – as well as how to use these connections to your clients' advantage.

This approach will boost office morale, especially among employees like paralegals and support staff, who sometimes feel undervalued or disconnected from defenders' mission. They'll feel more energized about all of their work, and more committed to making asset-based management succeed.

My funders respond to needs, not assets. Will I cut myself off from funding if I adopt this approach? Asset-based management doesn't mean ignoring needs. You will always have plenty of them to address – and to highlight for your funders.

Focusing on assets won't make funders think you don't need their money. Instead, it can actually give you leverage to obtain that money. If your office uses community assets, you'll be in a much stronger position when you make your budget request. Funders will feel you are approaching them only for needs that can't be met in other ways. At the same time, funders often like the way asset-based management encourages them to rethink the meaning of their giving – to view it not as charity, but as an investment in citizens and their communities.

Also, keep in mind that funding comes in different streams. Say you find a creative new community resource to help you meet a specific need. Don't assume that it will affect other parts of your budget. It's supplemental support that shouldn't displace your core funding.

The asset-based approach has other funding advantages. Connections and partnerships can bring you to new funders, some of whom you might not otherwise be able to approach (for instance, funders who wouldn't normally support you but do give in the area your partner targets). And finding ways to use community resources creatively may keep funders more interested – and involved – in your work.

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