

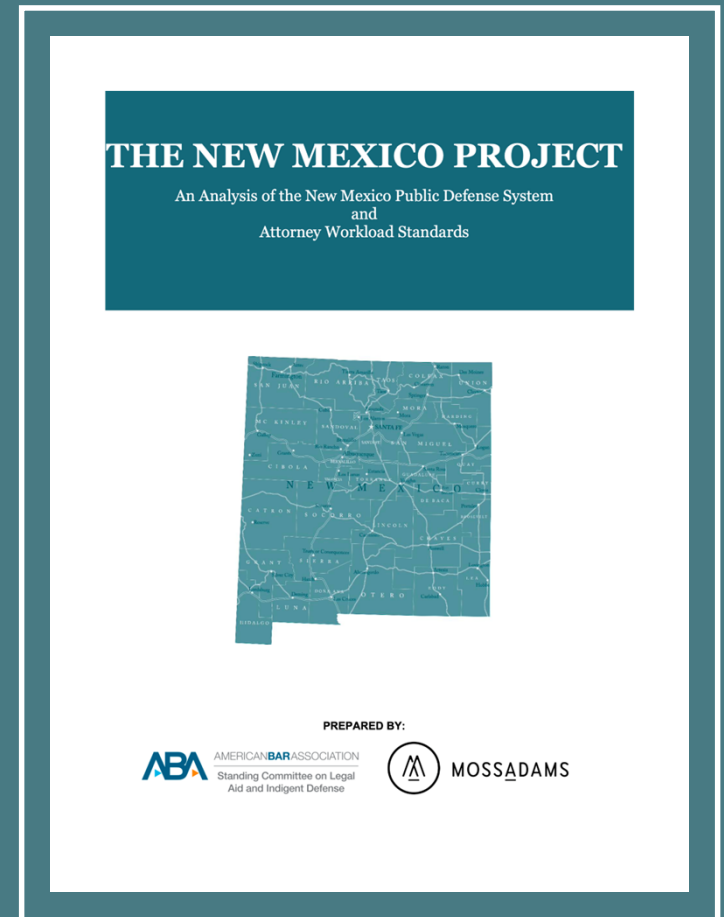
**WHAT NEW MEXICO
NEEDS TO DO
FOR PUBLIC DEFENSE
NOW**

**Ben Baur
Is A
Nationally
Recognized
Leader In
Indigent
Defense
Reform**



He Led The Efforts To Get The ABA And Moss Adams To Do The New Mexico Project Study

In 2022, One Of Seven Such Studies That Were Eventually Used By The RAND CORPORATION, The ABA, The NCSC And Myself To Produce The 2023 National Public Defense Workload Standards.



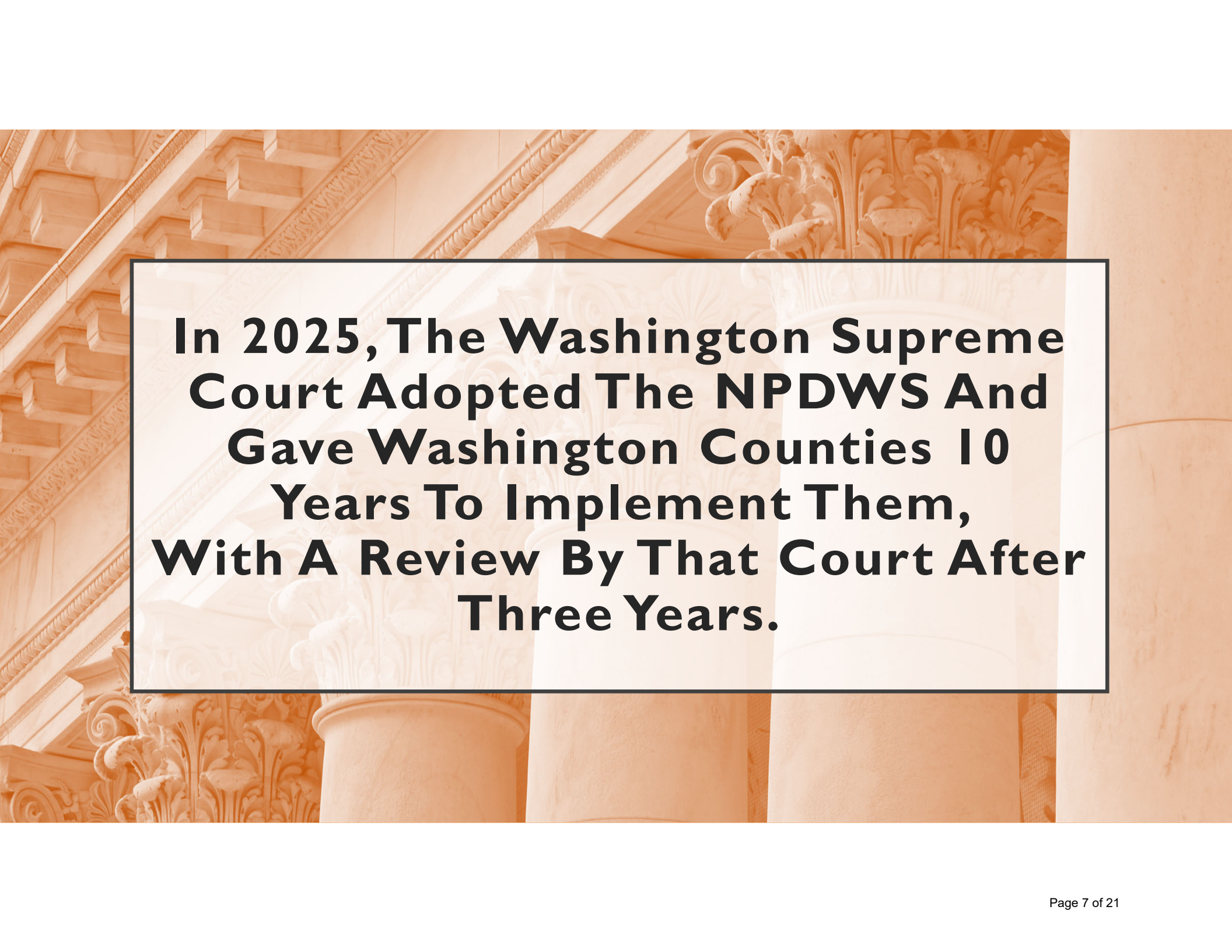


**Malia Brink, Who Will
Speak After Me,
And Who Worked With Me
On The New Mexico
Project And Its Five-year
Plan, Was One Of Four
Authors Of The NPDWS
Report, And A Key Player In
The Development Of The
NPDWS.**

**The New Mexico Project Concluded That
New Mexico Public Defenders
Then Had About One-third
Of The Public Defenders
It Needed In Order To Provide
Ethical Representation
For All Of Its Clients – A 66% Deficiency.**

**THE NPDWS SHOWED THAT THE
SAME THING WAS TRUE IN
VIRTUALLY EVERY OTHER STATE IN
THE NATION.**

**Public defenders work 3 times too
many cases, milestone study and
new data show**



In 2025, The Washington Supreme Court Adopted The NPDWS And Gave Washington Counties 10 Years To Implement Them, With A Review By That Court After Three Years.



**There Is Litigation
Now Pending In Oregon
To Do
A Six-year
Implementation Plan.**

**THERE WILL BE SIMILAR
LITIGATION IN MANY
OTHER STATES IN THE
COMING YEARS**



**Ben Has Worked
Patiently With
The
New Mexico
Legislature
On This Problem**

**So Far Without
Much Success**

The Latest Information That I Have Is That New Mexico Has Moved The Needle From A 67% Deficiency To A 66% Deficiency.

**That Means That Ben's
Lawyers Have Less Than Half
The Number Of Lawyers That
They Need In Order To
Provide Ethical Representation
For All Of Their Clients.**

**THAT SITUATION – A
SYSTEMICALLY UNETHICAL
CRIMINAL LEGAL SYSTEM –
SIMPLY CANNOT
CONTINUE UNABATED
AND UNADDRESSED.**



**If A
New Mexico
Public Defender
With Twice As
Much Work As He
Should Have Does
50% Of The Work
He Should Do On
A Client's Case,
There Is Real
Harm To That
Client.**

**The NPDWS
Represent A Sea
Change For State
Criminal Defense
Systems**





**For 50 Years, From 1973 To 2023, The
Entire Legal Profession And State
Policy Makers Relied On The 1973 NAC
Standards – 150 Felonies, 400
Misdemeanors Per Lawyer, Per Year.**

**1973 NAC
Standards
Were Made Up
By Six Lawyers
Sitting Around
A Table At A
Bar In The Del
Coronado
Hotel In
San Diego.**



F	M
150	400

**It Is Unethical To Represent More People
Than You Can Competently Represent**

**Consequences Of The 2023 NPDWS –
Ben And Public Defenders
Like Him Can No Longer
Do What Public Defenders Have Done
For The Last 50 Years**

**Missouri, Where I First Started My
Work On This Issue In 2010,
Has Already Disciplined A Lawyer For
Simply Carrying Too Many Cases,
Even Though There Was No Provable
Harm To Any Of His Clients.**

**THE NEW MEXICO
LEGISLATURE MUST COME UP
WITH A PLAN TO IMPLEMENT
THE 2023 NPDWS OVER A
PERIOD OF YEARS, AND IT
MUST BE FRONTLOADED,
NOT BACKLOADED.**