



**PUBLIC DEFENDER ASSOCIATION  
233 A STREET, 13<sup>TH</sup> FLOOR  
SAN DIEGO, CA 92101**

Dear PDA Members:

Due to concerns of members regarding excessive caseloads, the PDA Board has discussed with counsel the employment issues related to making a “working conditions” employment record. We have been advised that the best method to document a case for employment law purposes is to keep a consistent and running tally of the time we spend as individual attorneys each day in doing our job.

The Board, on the advice of counsel, has prepared the attached forms for your use. The preferred method is to record all work related activity on an Attorney Activity Log. This includes discussions with other attorneys about issues in your cases, requests for coverage from other attorneys, waiting and travel time, hunting down trial clothes, punching holes in discovery, making entries in JCATS/Kronos, etc. and all the other minutiae of a Public Defender’s daily existence. It should not be limited to activity which is attributable to a case but instead should encompass everything we do to do our job. An alternative, or supplemental method, would be to document your current caseload on the attached Caseload Summary.

Once you make the decision that you wish to notify your supervisor that you must refuse further case assignments to comply with your obligation under the Sixth Amendment, you should contact a Board Member and consult with them to prepare the attached memo to your supervisor. You should request a Board Member accompany you as you present the memo to your supervisor and if contacted later about the memo by your supervisor or anyone else in the administration, you should insist on having a union representative present before discussing the matter. Please contact any member of the PDA Board if you have any concerns or questions regarding this issue.

Yours in Solidarity,

Board of Directors,  
Public Defender Association





**PUBLIC DEFENDER ASSOCIATION  
CASELOAD SUMMARY**

My current caseload consists of :

\_\_\_\_\_ Total open cases, consisting of:

\_\_\_\_\_ Misdemeanors

\_\_\_\_\_ Class III,

\_\_\_\_\_ Class IV,

\_\_\_\_\_ Class V, and

\_\_\_\_\_ SVP.

I have \_\_\_\_\_ cases set for first Readiness Conference;

\_\_\_\_\_ cases set for Preliminary Examinations;

\_\_\_\_\_ cases set for Superior Readiness Conference;

\_\_\_\_\_ cases set for Jury Trial;

\_\_\_\_\_ cases set for sentencing; and

\_\_\_\_\_ cases set for Further Proceedings/OSC/Misc..

I have \_\_\_\_\_ clients in custody.

I have been assigned \_\_\_\_\_ cases in the past 12 months.

In the past month, I have personally handled:

\_\_\_\_\_ Jury Trials;

\_\_\_\_\_ Preliminary Examinations;

\_\_\_\_\_ First Readiness Conferences;

\_\_\_\_\_ Second Readiness conferences; and

\_\_\_\_\_ SVP appearances.

Name: \_\_\_\_\_ Date: \_\_\_\_\_



# **COUNTY OF SAN DIEGO**

INTRA-DEPARTMENTAL CORRESPONDENCE

DEPARTMENT OF THE PUBLIC DEFENDER

**DATE:**

**TO:** TEAM SUPERVISOR

**FROM:** ATTORNEY NAME

**RE:** UNAVAILABILITY

Please be advised that due to my current heavy caseload, in order for my current clients to receive adequate and effective representation pursuant to the mandates of the Sixth Amendment of the United States Constitution and Article I, section 15 of the California Constitution, I am currently in a situation where I am unavailable to be assigned more cases.