

Client Advisory Board
of the New York State Defenders Association
CLIENT-CENTERED REPRESENTATION STANDARDS
July 25, 2005

Clients Want A Lawyer Who—

1. Represents a person, not a case file; represents a client, not a defendant.
2. Listens to them and represents them with compassion, dignity and respect.
3. Makes sure the client's privacy is respected and that communications take place in a space and by means that protect the confidential nature of the client-attorney relationship.
4. Refrains from displays of affection and other behavior with the prosecution that might project the image of a conflict of interest.
5. Meets with them and visits them when incarcerated, accepts phone calls, answers letters, and takes time to counsel and explain in a manner that communicates understanding and respect.
6. Listens to the client's family and with permission of the client shares and exchanges information so that the client, lawyer, and client's family remain informed.
7. Uses language in court, legal writing, and conversation that is clear and understandable to the client.
8. Pursues an investigation of the facts of the case, is culturally sensitive, appreciates the dimensions of the client's life, and becomes familiar with the communities from which his or her clients come.
9. Acknowledges personal cultural values, beliefs, and prejudices that might affect his or her ability to effectively represent a client and takes appropriate steps to shield the client from resulting harm.
10. Thoroughly and carefully reads all documents, discusses them with his or her client, and provides the client with copies.
11. Knows the law and investigates the facts, and applies the knowledge of both creatively, competently, and expeditiously.
12. Aggressively seeks resources, such as interpreters, experts and investigators, necessary for effective representation.

13. Works and strategizes in collaboration with his or her client.
14. Is committed to obtaining the best outcome for the client, zealously advocating on the client's behalf.
15. Identifies disabilities of his or her client, and obtains assessments and services to address needs.
16. Informs the client about plea negotiations, tells the client when a plea has been offered, explains the importance of the client's decision whether or not to plead guilty, advises the client on the appropriateness of any plea and all of its consequences and, acting in the best interest of the client, helps the client reach an informed decision.
17. Aggressively pursues alternatives to incarceration, assesses immigration and collateral consequences of a client's criminal conviction, acts to prevent such consequences, and explains the reason for any fines or penalties.
18. Relays to the client what criminal history information is being relied upon, makes sure the information is accurate, and sees that errors are corrected.
19. Accurately informs the client about sentencing, reviews the presentence report with the client, makes sure the court removes any errors in the report, ensures that the client has a copy of the report, and files where appropriate a comprehensive defense presentence memorandum.
20. Accurately informs the client who may be incarcerated about the incarceration process, including jail and prison programs, and works with the client to plan the future in terms of treatment while incarcerated, transitional issues, and reentry.

(Also approved and endorsed by the Board of Directors of the New York State Defenders Association, October 7, 2005.)