

AFFIDAVIT

STATE OF LOUISIANA §
PARISH OF ORLEANS §

BEFORE ME, the undersigned Notary Public, personally came and appeared:
LAUREN ANDERSON, DOB: 2/17/1987, who after being duly sworn did depose
and state the following:

1. My name is Lauren Anderson. I graduated law school in 2012. I am an attorney at the Orleans Public Defenders office, and licensed to practice law in the State of Louisiana (Bar No. 34889). I have worked at the Orleans Public Defenders since May 2013.
2. Since January 1, 2015, I have handled 671 misdemeanor, 157 felonies, and 182 revocations. Since January 1, 2015 I have received 431 new misdemeanors, 155 new felonies, and 171 new revocation cases. My current caseload includes 121 felonies, 78 misdemeanors, and 21 revocations.
3. Of those 121 felony cases, 63 are in jail. Most are housed at the Orleans Parish Prison complex. Visitation at the Orleans Parish Prison complex is extremely time consuming. I often wait a jail for hours just to see one client because there are not enough visitation rooms and because it takes a very long time for sheriff's deputies to transport inmates from their cells to the visitation rooms. I often will wait for hours and still end up leaving without seeing any of my clients because I have too much other work to do and there are still other attorneys ahead of me in line to see their clients. This is true even when I call ahead to try to schedule my visits: the deputies often have no record that I called or say that the rooms are full anyway so they cannot honor my scheduled visit. Several of my clients are housed out of parish multiple hours away. I never see those clients.
4. I am a "Level 3" attorney, meaning the majority of my new clients are charged with burglary, gun possession, aggravated battery, or drug distribution. Due to case type and the prevalence of alleged multiple offenders, the vast majority of my clients are facing decades in prison if found guilty at trial.
5. Prior to becoming a felony attorney in May 2015, I was a misdemeanor attorney in New Orleans Municipal Court. My caseload there ranged from 350 to 650 at any given time. On average, I had 600 clients at any time.

6. I try not to speak to my clients on the phone because the calls are recorded and provided to the prosecutors. Regardless, I cannot call my clients, so I can only receive calls if my client calls me and I happen to be at my desk, which is rare.
7. It is office policy that I see clients within 48 hours of appointment. Because of my caseload, it usually takes me a week, and sometimes two to three weeks before I can meet new clients in jail for the first time. Often times I go to jail to meet clients for the first time but am told the wait will be two to three hours so am forced to give up and try again at a later date.
8. It is not unusual for me to receive 15 new cases in a week. Almost all of those new clients do not bond out of jail. In the last two weeks, I received 35 cases. I did not visit any of them within 48 hours of arrest. Although I visited most of those clients within a week, I was unable to do any significant follow up work on their cases, including phone calls and investigation requests. I only filed one bond reduction. I have not been able to complete an investigation request for any of those clients. Their charges include: Aggravated Assault by a Firearm, Aggravated Battery, Illegal Possession of Stolen Firearms, and Simple Robbery.
9. In most cases, I do not have time to visit clients more than twice between arrest and a substantive court hearing like a hearing on motions. This makes it very difficult to develop rapport with my clients or get them to trust me. A trusting relationship is necessary for my clients to be willing to confide in me with what are often crucial pieces of information about their case.
10. When I do visit at jail, I am generally visiting multiple clients during the same visitation period. During my visits, I am always mindful that I have other clients to see and other work to do, so I cannot spend very much time with any one client. Instead, I get just the most basic information and convey the most basic information about the case before moving on to the next client. A typical jail visit would last 20 minutes.
11. If my client is out on bond, it is very rare that I meet with them before arraignment. I have to prioritize my jailed clients. Therefore, it is very rare that I investigate those cases prior to arraignment or try to arrange pre-acceptance dispositions for those cases.
12. In the majority of cases, I plead clients guilty without any investigation being done in the case. I am forced to triage my cases, and often do not ask investigators to investigate

cases that seem likely to plead. I very rarely would be able to investigate or request investigation into potentially exculpatory videos that get overwritten with one to two weeks.

13. Oftentimes the prosecution will make plea offers on the day of arraignment. In those cases, I often have not seen the police report or will be handed the police report at the same time as the offer is given. Usually, everything I know about the case until that point will have come from the “gist” that the police write to make out probable cause for arrest. Because of this, I generally have to try to advise clients about whether or not to plead guilty without having done any independent investigation or having reviewed the full police report.
14. On an average day, I spend four to five hours in court and up to three hours in jail. I work past 7pm most days of the week and often multiple hours at home after leaving work, as well as six to twelve hours on the weekends.
15. When I am in court, I am often the “section attorney” assigned to one section of the court. That means I have to stand in on other attorneys’ arraignments, assist people who have come to court unrepresented for probation status hearings, and handle revocation hearings. I also have to spend a lot of time trying to communicate with other public defenders who have cases set in that section of court to get information from them about what date their case should be set for or when they might be able to come to court to handle their matter. As a section attorney, I have very little time to do anything other than actively respond to what is happening in court.
16. When I am section attorney, I also usually have many matters set in other sections of court. On a typical day, I will have matters set in five sections of court. In order to leave the section I am covering to go to another section, I need to wait for another attorney to come and fill in for me so I can leave. That means when I am actually able to leave court, I have to rush from the section to section to handle my matters. My interactions with my clients in those cases are usually extremely rushed, because the judges often call the cases right away because they have been waiting for my arrival. Often, the judges are angry and berate me for being late. This damages my relationship with my clients, who see me as incompetent because I am getting yelled at by the judge.

17. I cannot have confidential conversations with my clients in court because they are sitting next to other inmates on the bench. Usually, I can just briefly tell my clients what is happening on their case procedurally, but cannot give actual meaningful updates because of the lack of privacy and because I often have not had time to do much work on the case.
18. Judges often threaten to waive my hearings because I am not present when the case is called because I need to be in so many places at once. That also damages my relationship with my clients.
19. In most weeks I have approximately 10 motions hearings set and 1 to 3 trials. I rarely have time to prepare for my motions hearings more than a day before they are set. I almost never visit the crime scenes before motions or before pleas. I would only visit the crime scene if it appeared the case was going to trial, and even then I often would not have time. Similarly, I almost never view the evidence in a case before a suppression hearing about that evidence or before a plea. Again, at best I would view it if the case was going to trial.
20. If a case is going to trial I often cannot start working on it until the weekend before it is set. That means I do not have time to subpoena witnesses I need to testify of get records that could help my client's case.
21. I have 3 trials set between now and the end of January. I typically have between 25 and 40 cases set on the docket for some sort of hearing such as arraignments, pretrial conferences, and motions hearings, each week.
22. I often do not have the opportunity to file discovery motions or subpoenas until it is too late to have them be effective.
23. I rarely have the opportunity to write original motions addressing the legal issues in my clients cases. In most cases the most I can do is pull form motions written by previous attorneys on different cases and cut and paste them into my own motions. I very rarely can do actual legal research; I often spot issues that need follow up research in my cases but almost never have time to do it.
24. I rely on other lawyers in my office to let me know about caselaw developments or changes to statutes. I have very little time do any of that on my own, and when I do, it sets me extremely far behind on other work.

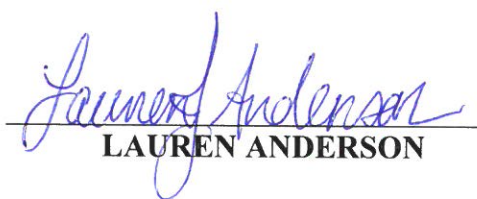
25. I almost never have time to consider whether hiring or consulting with an expert would be helpful in a given case.

26. I am able to do almost nothing on revocation cases.

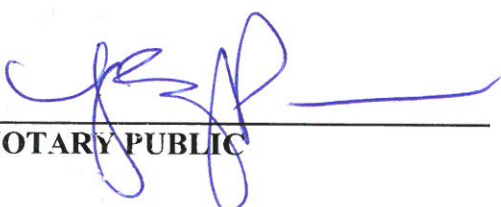
27. When there is a unique situation like contempt or the need for an appeal or a writ I am almost never able to follow up on the situation myself.

28. I do not believe I am providing effective representation to the majority of my clients. Instead, I feel like a case processor, not an attorney. I spend my days pleading people guilty in the blind, not challenging the state's evidence in court or investigating the claims made by the police.

That these statements are true and correct to the best of my knowledge, information and belief.


LAUREN ANDERSON

SWORN TO AND SUBSCRIBED TO BEFORE ME, NOTARY, THIS 20 DAY OF NOVEMBER 2015.


NOTARY PUBLIC