

## Public defender on agenda

Written by Elizabeth Barrett  
Thursday, 06 June 2013 14:01 -

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### Commissioners get guidelines

Lexington—The Dawson County Commissioners heard information at their meeting Friday about the selection of a public defender as recommended by the American Civil Liberties Union.

ACLU officials questioned county officials in March about public defenders in Dawson County not adhering to American Bar standards.

According to two Lexington attorneys, the ACLU is impressed with the steps the commissioners have taken so far.

Those attorneys, Dave Smith and Brian Davis, were appointed to help guide commissioners in finding qualified applicants, making sure those individuals submitted proper information and examining job expectations.

Nebraska attorneys Alan Jensen, Kenneth Harbison, and Patrick Oman have applied for full-time public defender position for the county. He or she would be assisted by an elected deputy or deputies.

The Lexington attorneys recommended that the public defender be appointed rather than elected as has been the case.

“The problem with electing a public defender is that in the third and fourth year of their term, they begin focusing on re-election instead of on the criminal case load,” Smith said.

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Commissioners also heard that the National Advisory Commission on Criminal Justice Standards (NAC) trimmed back its standards to fit the budget of Dawson County.

For instance, NAC officials said no more than 150 felonies per year should be handled per full-time attorney. In 2012, records show that felony cases handled by public defenders in Dawson County nearly doubled the NAC standard.

Commissioners P.J. Jacobsen and Bill Stewart are working with county clerk Karla Zlatkovsky to recommend a public defender to the rest of the board.

They will interview applicants before the next commissioner meeting June 20 and try to bring a recommendation at that time.

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