

The Defender: Coronavirus Edition

A mini
newsletter

Corona week 7
May 1 2020



Jonathan Miller took this apropos photo in the town of Corona in Lincoln County.

A Hands on the Wheel profile

Deputy Chief Randy Chavez



Deputy Chief Randy Chavez

Randy Chavez can talk to anyone. Clients from any background or neighborhood. Judges, law school deans and colleagues. Neighbors from his small hometown of Cuba, NM. Cops from anywhere in the state.

Chavez, the department's Deputy Chief of Contract Counsel Legal Services, "knows New Mexico," says Chief Public Defender Bennett Baur. "He speaks English, Spanish and New Mexican. He just knows how to talk to people."

Baur recalls meeting Chavez in the early 1990s when they were public defenders together in Metro Court in Albuquerque.

"He was so good at his job there. I saw him do trials, and he talks so easily with clients, witnesses, and jurors. He worked incredibly hard, but he made it look easy," Baur said.

From there, Chavez took a job as a prosecutor in Sandoval County. While that can be a controversial move for die-hard public defenders, Chavez said that is where he learned one of his most valuable skills.

"You get to know the cops and you learn how to talk to cops. Once you learn how to talk to them, it makes it easier. You don't have to fight as much when you learn how to speak to them and you can accomplish a lot more," Chavez said.

What does Contract Counsel Legal Services do?

This unit is responsible for the assignment and administration of all contract cases and conflict cases throughout the state. Contract cases happen in areas of the state where there is no staffed LOPD office. Of the state's 33 counties, 18 are without a staffed LOPD office. Conflict cases can happen anywhere in the state when there is an ethical conflict in the case. The most common example is when there are co-defendants in a case and an LOPD staff attorney is representing one of them. Less common is when an LOPD employee is a witness or victim in a case and the defendant needs a public defender. The unit is responsible for an average annual caseload of 25,000 cases.

"The most important thing is we handle a lot of cases. The Public Defender's Office can't function without contract counsel. There's just no way," said Deputy Chief Randy Chavez, aka the Director of CCLS.

Chavez and his staff of seven coordinate the coverage of these 25,000 annual cases with approximately 160 private attorneys. They oversee the recruitment, application and contract execution for them. They process the attorneys' monthly billing and audit it. And in several counties, including Valencia and Cibola, the staff also handles the assignment of cases. In other parts of the state, the unit provides a roster and rotation of eligible local contract attorneys to the court, which then assigns attorneys to cases as they arise. The unit also handles performance issues and problem solving around the state.

The CCLS office is in northeast Albuquerque. It is separate from the main Albuquerque office, which is in Downtown Albuquerque.



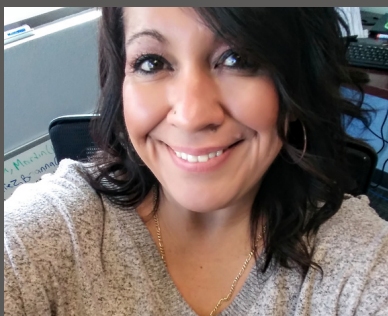
Carolyn Gonzales



Monica Cruz



Suzie Rizor,



Renee DeLaFuente



Karie Hashke



Jennifer Jones



Tom Kelley



Randy and Katherine Chavez with their sons Joshua, left, and Jaron.



"I have been a part of the LOPD, either as an employee or as a contractor, for over 25 years. Over the years, the LOPD has been through some tough times, and this is the first time where I can remember the entire LOPD pursuing the same goals. I am very proud of what this administration has accomplished in the last few years. I want to thank Chief Baur and the other members of the Executive Committee for giving me the opportunity to participate in their dream. I want to thank my CCLS staff for supporting me and for just being awesome. Although I was not pleased at the time, I appreciate my wife and my sons for giving me the strength and the encouragement to leave private practice and to take on a different role as an administrator. It is not always easy to give up what you love to take on different responsibilities. I will always be a trial lawyer, and I hope my experience is proving beneficial to our clients and to the entire LOPD."

- Randy

"I think everyone should work as a DA... It is very valuable to your clients when you can see and understand the other side," he said.

Chavez worked as a prosecutor for about three years, but with his first son on the way (Joshua, now 22), Chavez and his wife, Katherine, needed better income. So Chavez went into private practice, taking contract cases in Valencia County for what was then called the State Public Defender Department. At that time, there was stiff competition for contracts, Chavez said.

"Back then you had to wait for someone to leave or there was a dramatic increase in cases. Now if we lose a contractor it's getting harder and harder to replace them. Santa Fe is tough sometimes. The people who used to do the contract work are all getting close to retirement, he said.

And the caseloads, while at the will of the contractor, were (and are) usually high in order to bring in enough money to cover private practice expenses, like paying staff and office supplies.

"It was a lot of stress as a contractor," he said.

He recalls a 6-month period in 2015-2016 during which he spent seven weeks in trial for "two murders, two rapes, two home invasion cases, and an aggravated battery.

"If you are in trial at the public defender office, somebody is covering you and helping you out. When you are in private practice, when you are in trial, who is handling your stuff at the office? You're not getting those telephone calls for private cases. Your clients are getting angry with you because you aren't returning their calls. You still have to run a business. And how do you do it when you are in trial for seven weeks in a six month period. It's tough."



After 19 years in private practice as a contract public defender in Valencia and Sandoval counties, during which Chavez became one of the top tier, go-to contractors for complex cases, he was courted by LOPD to take over the Contract Counsel Legal Services unit.

Tired of the stress and with his children older (he and Katherine had a second son, Jaron, now 18), Chavez took the post in 2016.

“Working with Randy again, more than 25 years after we first did jury trials together, has been great. His breadth of experience, as a staff attorney, a former DA, and a 20-year contractor who tried cases all over New Mexico, gives him knowledge and an overview of the system that serves our Department and our contractors extremely well,” Baur said.

Right now, his unit is preparing to take a round of applications for contractors across the state. He’d love to see young attorneys, especially graduates from UNM’s School of Law, stay in the state with positions at LOPD or a DA’s office, but that hasn’t been happening recently. He said his unit is hoping the economic downturn will spur private attorneys to consider taking contracts.

“My whole goal is to make sure Contract Counsel Legal Services works the way it’s supposed to work. This is important to me,” Chavez said. “I was in private practice for a long time. I feel like I make a difference more now than ever before.”



People are getting out and about during the pandemic. These are just some of the nature pictures shared after the last Coronavirus Edition newsletter.

Appellate attorney Allison Jaramillo captured these images on a hike with her children, Luci and Carlos, at Vista Verde trail near Taos.



"Hillcrest Park in Clovis is my happy place," says 9th District Defender Ibukun Adepoju. She took these pictures recently.

"The sunset is my constant reminder that there's still some good out there. "

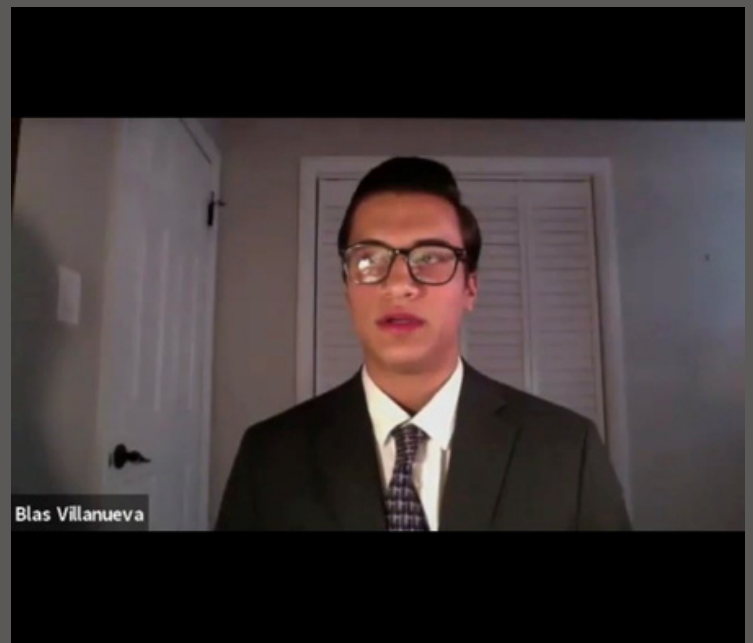


Doing teen differently



A Sweet 16 parade in the new style for Abq Juvenile Division's Dennica Torres's daughter. "It was both fun and a little sad once it was done," she said.

Abq Metro Managing Attorney Kelly Villanueva's son Blas competed in a constitutional law program through his school at Cottonwood Classical Preparatory School. This year's competition was online.



Power pets



Monica Guillen's coworkers,
Daisy and Rosie



Little birdies in the rafters of Ivey
Hendrix's Roswell carport.



Appellate attorney Allison Jaramillo's new
puppy, Kai, in their backyard



Amy Jo English, legal assistant in
Roswell, takes a car ride with Ozzy to
avoid getting cabin fever.



Vicki Carlton's old but new again cat,
Bubba

Power parents



Abq Metro attorney Javier Amaya welcomes his baby, Amelia Sage Amaya.



Abq attorney Hadley Brown works on a motion at home on Monday with her 8-month-old daughter, Iris, sleeping on her lap.

Power kids



Aztec Managing Attorney Sarah Field's daughter Kennedy works on school while her mom handles a court phone call.



General Counsel Adrienne Turner's daughter Sonora gets her Greek on.

Zoom Gloom



These faces
don't look
gloomy.



Since 2012

'For some people, the prolonged split in attention creates a perplexing sense of being drained while having accomplished nothing.'

Research is showing that Zoom meetings are exhausting even though little physical energy is required. That's because we are working hard to try to read the nonverbal communication of our colleagues through grainy video and muted images. The feeling is being called "Zoom gloom."

"Gallery view—where all meeting participants appear Brady Bunch-style—challenges the brain's central vision, forcing it to decode so many people at once that no one comes through meaningfully, not even the speaker," according to National Geographic writer Julia Sklar.

The set-up is a benefit to people who in normal interaction have a difficult time with social interaction, Sklar writes.

Welcome to these new hires:

Sarah Gallegos, atty Habeas Unit
Yelitza Conover, atty Clovis
Bailey McGowan, law clerk Clovis
Michael Reyes, atty Alamogordo
Wade Swift, investigator Abq

Theresa Edwards, fiscal unit director
Charles Rogers, atty Las Cruces
Robert Rowe, atty Taos
Lucy River, atty Santa Fe
Stephanie Padilla, secretary Las Cruces

Thank you to Cassandra Montoya for compiling these lists.
If your name was somehow left off a list, please know it was not on purpose. Just let Maggie Shepard know and she'll make it right in the next newsletter.

Virtual recovery

NM DEFENDERS IN RECOVERY, a virtual recovery meeting, will be held every Friday night (for the next several weeks) at 6 p.m. via Zoom. For the Zoom link, more information or for other links to other virtual recovery resources, you can contact Craig Acorn at craig.acorn@gmail.com or 650-283-0694; Jennifer Birmingham at Jbirmingham2112@gmail.com or 575-288-7958; or JJ Hall at jjhall@me.com or 307-321-4752. Notice those are their private numbers and emails as this is not a department-sponsored effort. Anonymity is strictly honored.

To contribute, correct, compliment or criticize newsletter content, or to talk to LOPD Communication Specialist Maggie Shepard, contact her at maggie.shepard@lopdnm.us or (505) 690-4529. All newsletter content is compiled by Maggie Shepard and approved by LOPD leadership.