

ABOUT THE SAN FRANCISCO PUBLIC DEFENDER'S OFFICE

The Public Defender's Office is the largest criminal defense firm in San Francisco. The office was established in 1921 and is led by elected Public Defender Jeff Adachi. The office employs over 95 licensed attorneys and 85 paralegals, investigators, clerks and other support staff.

If you are charged with a crime and cannot afford an attorney, a lawyer from the Public Defender's Office will represent you. Most lawyers have 5 to 25 years of criminal law and trial experience.



WHAT ARE MY RIGHTS?

- **Right to a lawyer:** You have the right to have an attorney represent you throughout your case. Your lawyer will meet with you and help you understand your case. Your lawyer will advocate on your behalf at all court hearings and file all appropriate legal motions. If the Public Defender's Office cannot represent you due to a conflict of interest, you will be given a private attorney.
- **Right to a speedy trial:** You have the right to demand a speedy trial. However, it is sometimes best to give up this right if more time is needed to prepare your defense. This is a decision that you and your lawyer should talk about. In a probation violation matter, there is no right to a speedy hearing, but a hearing must be held within a "reasonable time."
- **Right to a jury trial:** If you are charged with a misdemeanor or a felony, you have the right to demand a trial by jury. This means that your guilt or innocence will be decided by 12 jury members selected from the community. Under the law, you are presumed to be innocent. You cannot be found guilty of a crime unless all 12 people on the jury find you guilty by "proof beyond a reasonable doubt."
- **Right to remain silent:** *Everything that you say to the police can be used against you in court, so you should always remain silent.* If the police try to ask you questions or they ask to "hear your side of the story," refuse to talk to them and demand to speak to your lawyer. If you demand your lawyer, they must stop questioning you.

NOTE: Nothing in this brochure is meant to constitute legal advice.

FIVE THINGS YOU SHOULD KNOW:

1. **Do not talk to anyone about your case.** Do not talk about your case to anyone, except your lawyer or your lawyer's staff. *If you are in jail, do not talk about your case on the jail telephone. All phone calls in jail are recorded and any conversations you have can be used against you in court.* Also, all mail that leaves or enters the jail is opened and read. If you write a letter to your lawyer and want the letter to be confidential, *write the words "LEGAL MAIL" on the envelope.*
2. **Let your attorney talk for you in court.** Your lawyer will talk with you before your court appearance and then talk for you in court. It is generally not a good idea to speak for yourself in court unless called upon by your lawyer. Your lawyer knows the law and what is in your best interest.
3. **Do not be late for court.** Your court slip has the date and time of your next court appearance. It is very important that you come to court on time. *If you do not show up to a court appearance, and your appearance has not been "waived," the court will issue a warrant for your arrest.* Most court hearings begin at 9:00 a.m. There is usually a long security line to get into the courthouse and it is sometimes hard to find your courtroom. Arrive at 8:30 a.m. to be on time for your hearing.
4. **Childcare.** If you have to bring your child with you to court, leave your child at the Hall of Justice Children's Waiting Room located on the first floor. If you are in custody and have young children that need assistance, our Children of Incarcerated Parents program can help — you can call them at 415-734-3079.
5. **Stay out of trouble.** The last thing you need is another problem hanging over your head. If you are released from custody, stay clear of situations that will put you back in jail.

CONTACT INFORMATION:

My lawyer's name is: _____

My lawyer's phone number is: _____

Other phone numbers for the Public Defender's Office:

- General directory: 415-553-1671
- Felony managers (for emergencies only): 415-553-9300 or 415-553-1019
- Misdemeanor manager (for emergencies only): 415-553-9637
- Juvenile division: 415-753-7601
- Clean Slate Program (to clear your record): 415-553-9337
- Reentry services: Please speak with your attorney.

WHAT TO EXPECT FROM YOUR LAWYER

Know Your Rights



"Our mission is to protect and defend the rights of our indigent clients through effective, vigorous, compassionate, and creative legal advocacy."

San Francisco Public Defender's Office

555 7th Street (between Bryant and Brannan streets)
San Francisco, CA 94103
415-553-1671 or <http://sfpublicdefender.org>

MESSAGE FROM SAN FRANCISCO PUBLIC DEFENDER JEFF ADACHI



“Our philosophy of criminal defense is very simple: we treat our clients the same way we would treat a relative or a close friend who is in trouble. We will provide you with the best legal representation possible. Our attorneys and teams of investigators, paralegals, clerks and support staff look forward to serving you. Thank you for placing your trust and confidence in us.”

— Public Defender Jeff Adachi

WHAT CAN I EXPECT FROM MY PUBLIC DEFENDER?

Our lawyers are held to very high standards and are trained to provide top-notch representation to their clients in every aspect of their case. Here is what you can expect from your lawyer:

- **Communication:** Your lawyer will keep you updated on the status of your case, all necessary appointments, and any settlement offers. Your lawyer’s name and phone number will be on the court slip you receive after each court appearance. If you want to contact your lawyer, please call 415-553-1671. If you have an emergency, or your lawyer does not return your call in 48 hours, you can call the lawyer’s manager at one of the numbers listed on the back of this brochure.
- **Confidentiality:** Everything you tell your lawyer, or other members of the defense team, is confidential and cannot be shared with anyone.
- **Professionalism:** Your lawyer will be fully prepared for all court hearings and client meetings. This means that all appropriate motions will be filed and a complete investigation will be performed. Your lawyer will always treat you and your family with respect and dignity.
- **Accountability:** Performance evaluations of lawyers and staff are done each year to ensure that the office meets its high standards of legal representation. We promptly address all complaints or concerns. If you have a complaint or a compliment to share, please contact a felony or misdemeanor manager at one of the numbers listed on the back of this brochure.

WHAT HAPPENS NOW?

The process leading from arrest to trial will depend on what type of case you have. Here is a brief outline of the steps along the way:

Step 1: Entering a Plea and Seeking Release

At your first court appearance, the arraignment, you will be told of the charges being brought against you. In most cases, your lawyer will advise you to plead *not guilty*. If you are eligible for release, your lawyer will ask the judge to release you without your posting bail, or to set bail in a reasonable amount.

Step 2: Meeting With Your Lawyer



If released from custody, you should contact your lawyer to schedule a meeting to discuss your case. If you remain in custody, your lawyer will visit you within 48 hours (excluding weekends and holidays). It is important that you give your lawyer all of the information needed to prepare your case. After this first meeting, your lawyer will continue to meet and communicate with you. You can always call or ask to meet with your lawyer.

Step 3: Investigating Your Case

Your lawyer will obtain and review all the reports, documents and other evidence from the police and prosecutors. Your lawyer will work with an experienced investigator who will locate and interview witnesses and obtain other evidence. The office has 19 investigators with 5 to 30 years of experience. Your lawyer also has access to paralegals, transcribers, expert witnesses and other resources that might be needed to prepare your defense.

Step 4: Preliminary Hearing

In felony cases, you have a right to a preliminary hearing where a judge determines if there is enough evidence to hold you for trial. Unless you give up this right, this hearing must be held within 10 court (business) days after your first court appearance. After the hearing, the judge may decide to dismiss or change some of the charges. If the judge finds enough evidence, a future court date will be set to enter a plea to the charges and to set a trial date.



Step 5: Settlement Conference

A “settlement conference” is a court date before trial to determine if the case can be settled or resolved. This conference may involve intense negotiations. Your lawyer will inform you of any offers made to settle your case.

Step 6: Trial



The first step in a trial is picking the jury. After the jury is chosen, attorneys give opening statements that outline their case. First, the prosecutor presents its witnesses and evidence. Then, the defense presents its witnesses and evidence. The attorneys then give closing arguments and the judge tells the jury the law. Finally, the jurors go to a private room where they deliberate and decide on a verdict. If the jurors cannot agree on a verdict, then there is a mistrial and the district attorney could file the charges again. A trial may last a few days or months, depending on the type of case.

Step 7: Appeal, Cleaning Your Record and Reentry

If you are convicted of a crime, you might be able to appeal your conviction. The Public Defender’s Office also has a Reentry Unit to provide support upon your release from custody and to offer help in clearing your criminal record for purposes of employment. To learn if you qualify for these services, please call 415-553-9337 or visit our website at <http://sfpublicdefender.org>.



WHAT CLIENTS SAY ABOUT US:

“This letter is to express to you my very deep and sincere appreciation to my defender, who represented me thoroughly, competently and successfully. He combined a high moral attitude with a true sense and love for justice, and was professional and zealous in his defense. He unquestionably has solidified my trust in the public defender system.” —J.N.W.