SELECTED RESEARCH ON HOLISTIC DEFENSE AND MENTAL HEALTH ISSUES
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Texas Indigent Defense Commission (Fall 2017)


   The article deals with the concept of holistic defense. The authors claim that “problem-solving lawyering, community oriented defense, is the most comprehensive statement to date of what defines the effective assistance of counsel for criminal defendants.” The authors also note that “[the] expansion of collateral consequences such as sex offender registration and ineligibility for public housing over the past three decades was another primary motivator for the development of the holistic defense paradigm.”


   The article explores the institutional and ethical limitations of the holistic defense model, by describing practical concerns when it comes to talking about the implementation of the model and unexpected consequences. As the author describes: “tight funding imposes constant institutional resource limitations. Moreover, some public defender offices operate under contracts that include institutional efficiency requirements, such as a minimum number of cases handled each year. Thus, public defender offices carefully must weigh the practical consequences of the holistic advocacy model.”


   The article summarizes the advantages of holistic defense when it comes to improving public defense and indigent defense services by shifting the focus from the case and trial-oriented model to the person and their involvement with the community. The articles emphasizes the importance of integration and a collaborative network, especially the relation between criminal lawyers, civil lawyers and social workers. As the author writes, “Client-centered practice may be defined as lawyering that empowers clients to identify the challenges they face and to work with advocates to overcome those obstacles.” The author states, “Holistic models of advocacy have two critical components: (i) Advocacy through interdisciplinary work groups; and (ii) Presence in the client community.”

In this report, the Brennan Center and the Community Oriented Defender (COD) Network developed the following Ten Principles of Community Oriented Defense: Principle 1: Create a Client-Centered; Principle 2: Meet Client Needs; Principle 3: Partner with the Community; Principle 4: Fix Systematic Problems; Principle 5: Educate the Public; Principle 6: Collaborate; principle 7: Address Civil Legal Needs; Principle 8: Pursue a Multidisciplinary Approach; Principle 9: Seek Necessary Support; Principle 10: Engage with Fellow COD Members. The report describes their core contents and long-term objectives.

5. The Bronx Defenders

The Bronx Defenders are pioneers in the implementation of the holistic defense model. This non-profit public defender office has written publications regarding the following key concepts in holistic defense:

a. Social workers and their importance for the model
b. Definition of Holistic defense
c. The Four Pillars of Holistic Defense


The report provides a literature review of the problems and impacts that de-institutionalization of mental health services creates in the criminal justice system, including the public defense system. “De-institutionalization” is a term that describes a systematic shift in resources for treating people with mental illness — from large, residential, state-run psychiatric hospitals to community-based treatment (Department of Health & Human Services, 1999).” The report argues that the “unintended consequence of this shift in public policy has been that it has become far more difficult for many people with mental illness to access the mental health system.” The report examines how courts and this new model of mental health services are failing to provide adequate treatment for people with mental illness and how problem-solving courts, especially mental health courts, can address this problem.
7. *America’s Problem-Solving Courts: The Criminal Costs of Treatment and the Case for Reform.*

The report provides a critical examination of problem-solving courts, particularly drug courts, but mental health courts are also examined. The report “offers a number of recommendation to ensure that the procedures and practices in drug court comply with constitutional and ethical norms.”


This is a lengthy and comprehensive report that seeks to create best practices and policy principles dealing with criminal justice and mental health, from the perspective of all stakeholders: judges and courts, prosecutors, law enforcement agents, criminal defense lawyers and public defense offices.


Presents “findings from the process ad impact evaluations of the Brooklyn and Bronx Mental Health Courts.” Also provides a brief literature review.


The fifth evaluation of the Travis County Mental Health Public Defender Office. Provides a workload-process evaluation of six fiscal years and a recidivism analysis of five years of disposed cases.