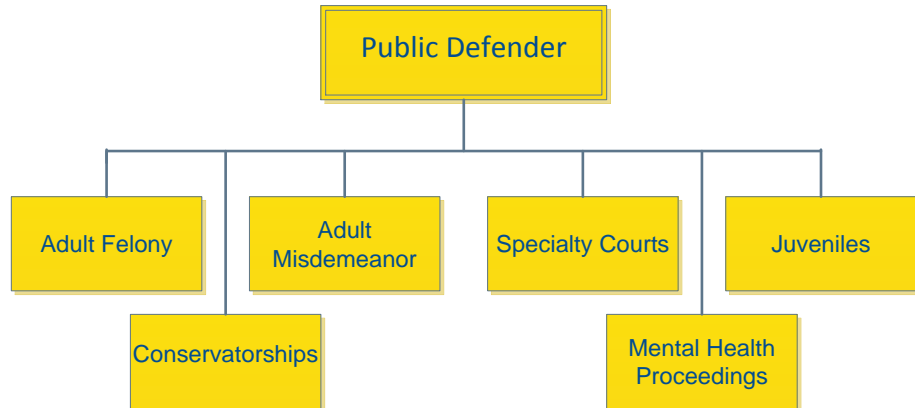




# Public Defender

## Organizational Chart



### Mission Statement

The Public Defender's office protects the rights of the accused, through ethical, compassionate, efficient, and creative legal advocacy. The Department is guardian of those liberty interests protected by the United States and California Constitutions, providing balance and fairness in the administrative of justice, regardless of the individual's ability to pay.

### Goals

Plan and implement Phase II second phase of new case management system

Continue evaluating grant funding opportunities or funding streams

Identify and implement ongoing efficiencies

(Public Defender of the Day; becoming an MCLE provider; restructuring departmental management and oversight)

Partner with interested Law & Justice agencies and HHSa to evaluate implementation of Laura's Law (Assisted Outpatient Treatment)

Secure funding for a Social Worker, to assist in evaluation, treatment, and rehabilitation of clients

Improve website presence to increase public awareness, provide data to the community, and to reduce common inquiries to staff and attorneys

Secure a new lease for a functional and efficient office space

### **Department Overview**

The Public Defender's office provides quality legal representation for adults accused of crimes who cannot afford private counsel; juveniles accused of crimes whose parents cannot afford private counsel; mentally ill clients who are alleged to need conservatorship or involuntary medication; senior citizens or the developmentally delayed who are alleged to be in need of conservatorship; clients in specialty courts (Veteran's Court, Behavioral Health Court, the Family Wellness Court, Proposition 36 Court and DUI Court).

<b>2015-16 Summary of Department Programs</b>				
	Appropriation	Revenue	Net County Cost	Staffing
Public Defender	\$3,654,946	\$352,774	\$3,302,172	23.00
(Adult Felony, Adult Misdemeanor				
Specialty Courts, Juveniles,				
Conservatorships, MH Proceedings)				
<b>TOTAL</b>	<b>\$3,654,946</b>	<b>\$352,774</b>	<b>\$3,302,172</b>	<b>23.00</b>

### Recommended Budget Highlights for Public Defender

The Recommended Budget represents an overall increase of \$21,253 or 6.4% in revenues and a decrease of \$144,372 or 3.8% in appropriations when compared to the FY 2014-15 approved budget. As a result, the Net County Cost is decreased by \$165,625 or 4.8%.

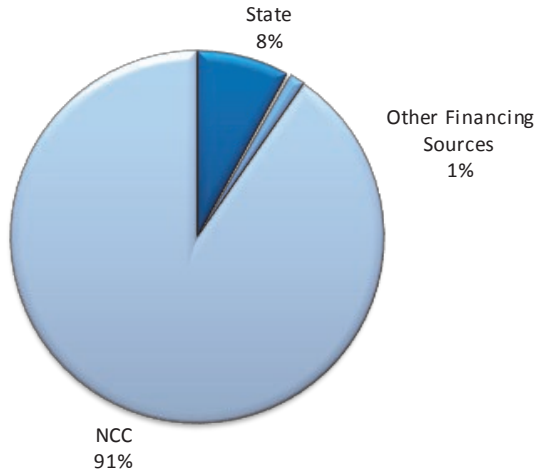
Revenue has increased slightly for Prop 172, Public Safety Sales Tax (\$11,253). In addition the department worked with Superior Court Judge Dylan Sullivan, the court Executive Team and County law and justice partners to apply for and receive a Recidivism Reduction Fund Court grant in the amount of \$10,000

Appropriation decreases are primarily related to salaries and benefits (\$105K). The special projects line item includes funding to move the Public Defender office in Placerville to a new location (\$60K). This one-time expense is carried over from FY2014-15 because the anticipated new location fell through. The department has occupied the current location for approximately 10 years, but has now outgrown the space. Suitable office space is difficult to come by in the Placerville area. The department is working with Facilities Management to identify new space.

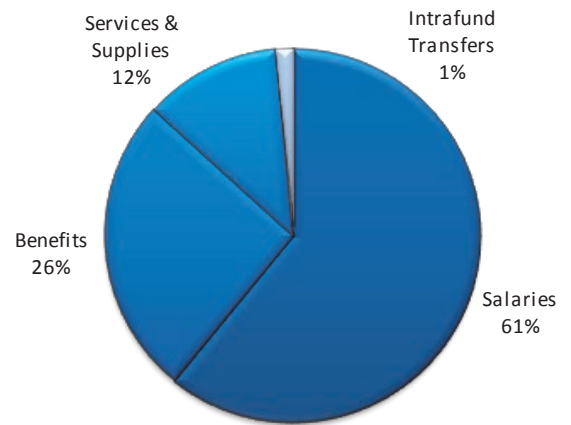
The budget includes the elimination of one filled Legal Office Assistant I/II in the Placerville office as a budget cut towards meeting the 6.25% budget target directed by the Board of Supervisors. The deletion of this position will result in a reduction in force. The department anticipates that the "ACES" (Affording the Community Excellent Service") case management system being programmed for the Public Defender's office by the County Information Technologies Department will allow the attorneys and other staff to function effectively without this clerical position. The Public Defender also cut services and supplies by \$36,036 and did not include any fixed asset purchases in the budget. The budget plan for FY 2015-16 maintains the investigation positions added in the FY 2014-15 budget which is critical to the effectiveness of the Department.

	12/13	13/14	14/15	15/16	15/16
	Actual	Actual	Projected	Dept Req	CAO Rec
State	281,758	281,793	281,323	292,576	292,576
Charges for Service	31,133	1,145	1,000	1,000	1,000
Misc.	200	100	-	10,000	10,000
Other Financing Sources	-		49,198	49,198	49,198
<b>Total Revenue</b>	<b>313,091</b>	<b>283,038</b>	<b>331,521</b>	<b>352,774</b>	<b>352,774</b>
Salaries	1,904,896	1,860,145	2,271,165	2,224,162	2,224,162
Benefits	686,751	687,696	983,709	945,104	945,104
Services & Supplies	213,768	404,813	463,066	432,330	432,330
Fixed Assets	-	-	4,000	-	-
Intrafund Transfers	16,928	19,818	52,660	53,350	53,350
<b>Total Appropriations</b>	<b>2,822,343</b>	<b>2,972,472</b>	<b>3,774,600</b>	<b>3,654,946</b>	<b>3,654,946</b>
<b>NCC</b>	<b>2,509,252</b>	<b>2,689,434</b>	<b>3,443,079</b>	<b>3,302,172</b>	<b>3,302,172</b>
<b>FTE's</b>	<b>19</b>	<b>21</b>	<b>24</b>	<b>23</b>	<b>23</b>

### Source of Funds



### Use of Funds



#### Source of Funds—Public Defender

State Intergovernmental (\$292,576): Includes revenue from Proposition 172 – Public Safety Sales Tax.

Charges for Service (\$1,000): Charges for service are comprised of charges for Public Defender Services.

Misc. (\$10,000) : Revenue from the Courts for the Recidivism Reduction Grant.

Other Financing Sources (\$49,198): Revenue for AB 109 services

Net County Cost (\$3,302,172): The department is primarily funded with discretionary General Fund tax dollars. These revenues are collected in Department 15 – General Fund Other Operations.

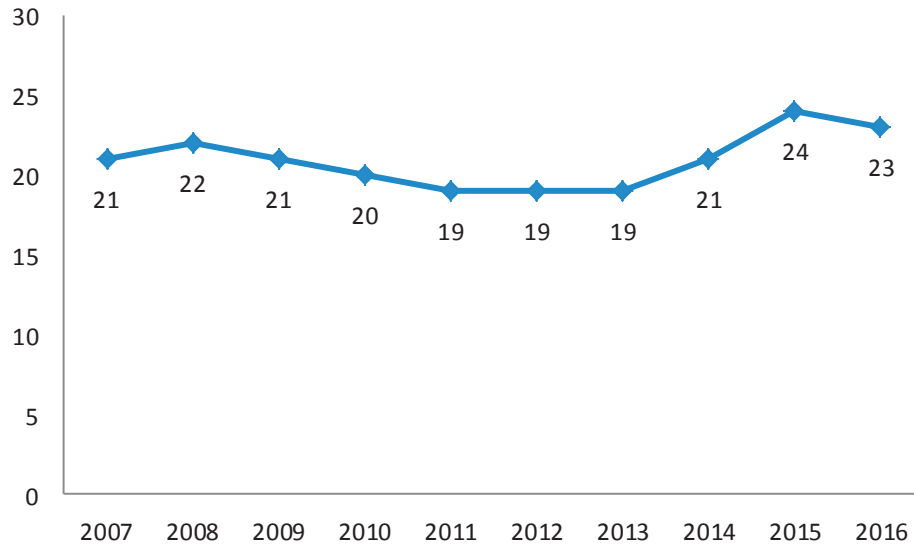
#### Use of Funds—Public Defender

Salaries & Benefits (\$3,169,266): Primarily comprised of permanent salaries (\$2,179,002), retirement (\$458,691) and health insurance (\$281,297).

Services & Supplies (\$432,330): Primarily comprised of building rents & leases (\$84,895), special projects related to anticipated one-time move costs and AB109 services (\$105,000), professional services (\$38,330) and psychiatric medical (\$15,000).

Intrafund Transfers (\$53,350): Primarily comprised of charges from other departments including a one-time charge from Information Technologies related to programming for a new case management system (\$49,440).

### Staffing Trend for Public Defender



Staffing for the Public Defender over the past ten years has gone from 19 in FY 2005-06 to 24 in FY 2014-15. The proposed staff allocation for FY 2015-16 includes 23 FTE, 18 FTE's on the West Slope and 5 FTE's in South Lake Tahoe.

Classification Title	2014-15 Adjusted Allocation	2015-16 Dept Request	2015-16 CAO Recm'd	Diff from Adjusted
Public Defender	1.00	1.00	1.00	0.00
Administrative Services Officer	1.00	1.00	1.00	0.00
Assistant Public Defender	1.00	1.00	1.00	0.00
Chief Assistant Public Defender	1.00	1.00	1.00	0.00
Deputy Public Defender II-IV	11.00	11.00	11.00	0.00
Investigative Assistant	1.00	1.00	1.00	0.00
Investigator (Public Defender)	2.00	2.00	2.00	0.00
Legal Office Assistant I/II	2.00	1.00	1.00	-1.00
Legal Secretary I/II	3.00	3.00	3.00	0.00
Sr. Investigator	1.00	1.00	1.00	0.00
<b>Department Total</b>	<b>24.00</b>	<b>23.00</b>	<b>23.00</b>	<b>-1.00</b>

## ***Public Defender Services Program***

### **Program Summary:**

The Public Defender's Office provides legal representation to adults and juveniles charged with criminal offenses. The Department also represents those who require conservatorship due to grave disability who are unable to care for themselves and/or to manage their financial affairs.

### **Program Accomplishments:**

- ◆ Researched, planned, and implemented Phase I of ACES, new case management system (May /June 2015)
- ◆ Investigations Unit functional for 4,500+ cases/year; analysis and development of investigation needs and resources; development of Policies and Procedures
- ◆ Collaborated with El Dorado Superior Court and other Law & Justice partners to apply for \$600,000 Recidivism Reduction Grant, Pretrial Release Program
- ◆ Collaborated with Law & Justice partners in the creation of The Family Wellness Court, a unique model of collaboration for the entire Country; including participation in several subcommittees
- ◆ Maintained or increased public service levels, despite budget reductions. Successfully integrated new caseload for Proposition 47 petitions, resulting in hundreds of petitions and subsequent relief for hundreds of clients, with no corresponding increase in funding or staffing
- ◆ Continued working on cultural shift for long –neglected Department; development of Policies and Procedures.
- ◆ Significant participation in: Community Corrections Partnership, Strategic Planning meetings, subcommittees, and workshops, the Juvenile Justice Commission, Realignment trainings

## ***Public Defender—Adult Felonies & Misdemeanors***

### **Program Summary:**

These attorneys represent people accused of criminal offenses, from their initial appearance at arraignment, through the pretrial court process, through disposition. The attorneys read and evaluate the discovery and evidence provided from law enforcement agencies and the District Attorney's Office, prepare and file legal briefs and memoranda where appropriate, appear at preliminary hearings, direct additional investigative services in defense of their clients, prepare for trials, prepare for and attend sentencing hearings and other post-disposition appearances, and evaluate and file appeals as appropriate.

Approximately 70% of all felony cases and approximately 50% of all misdemeanor cases filed by the District Attorney's Office are handled by the attorneys, with far fewer resources available. Funding to support these core functions come from Proposition 172- the Public Safety Sales Tax- and the General Fund. Almost all of the units described by the District Attorney's Office which file and handle cases are also handled on the defense side by the attorneys in this office, from homicides, to assaults, to fraud, and to the lesser misdemeanor offenses.

## ***Public Defender—Mental Health Proceedings***

### **Program Summary:**

The attorneys handling these proceedings represent individuals for whom the government wishes to forcibly medicate, due to an alleged inability to make informed decisions ("Reise" hearings). Attorneys can also handle cases in which the individual was convicted of a crime and is classified as a Mentally Disordered Offender, or "Not Guilty By Reason of Insanity" (NGI), or Sexually Violent Predator. The attorneys appear at all stages of these proceedings, which usually involves either lengthy commitment or lifetime commitment to a locked facility.

### ***Public Defender—Specialty Courts***

#### **Program Summary:**

The attorneys who appear in the specialty, or "treatment courts," are dedicated to rehabilitation efforts in our community. Specialty courts include Behavioral Health Court for the mentally ill, Veteran's Court for veterans in the criminal justice system, Proposition 36 & DUI courts for those people struggling with addiction issues, and the Family Wellness Court, a new collaborative court model which will serve those local tribe members who are in or who are anticipated to be in the criminal justice system.

The attorneys frequently meet with other County agencies serving this population (Probation, Health & Human Services Agency, and Mental Health), working towards a better understanding of the clients' needs. The attorneys meet more frequently with their clients, who typically have more complex issues, and the attorneys attend court proceedings which ensure compliance with rehabilitation efforts. The attorneys staffing these courts do so on a volunteer basis, with no additional funding or resources.

### ***Public Defender—Juveniles***

#### **Program Summary:**

One attorney is dedicated to the representation of children under the age of 18 years who are accused of committing felony and/or misdemeanor offenses. The attorney engages in almost all of the same functions as those attorneys who represent adults. The attorney reads and evaluates discovery and evidence, prepares legal briefs and arguments where appropriate, directs additional investigative services where needed, appears in court at all stages of the proceedings (from detention to sentencing and post-disposition relief).

### ***Public Defender—Conservatorships***

#### **Program Summary:**

The attorney who handles the conservatorship caseload represents the individuals for whom a conservatorship petition has been filed. The cases include the significantly mentally ill, the developmentally-delayed, and the elderly clients who the government claim cannot care for themselves. This caseload is mandated by statute and can include many of the same functions to perform as the attorneys who appear on criminal cases. The attorney evaluates the evidence and information, the attorney meets with individual clients, family members, professionals such as physicians and psychiatrists, the attorney appears in court at all stages of the proceeding, which can also include jury trials, since at issue is the client's potential loss of liberty, self-determination, and constitutional rights.

El Dorado County  
 Detail of Financing Sources and Financing Uses  
 Governmental Funds  
 Fiscal Year 2015-16

Budget Unit **23 Public Defender**  
 Function **Public Protection**  
 Activity **Judicial**

Detail by Revenue Category and Expenditure Object	2013-14	2014-15	2015-16	2015-16
	Actual	Actual Estimated <input type="checkbox"/>	Department Requested <input checked="" type="checkbox"/>	CAO Recommended
1	2	3	4	5

**Intergovernmental Revenue - State**

0860 State - Public Safety Sales Tax	\$ 281,793	\$ 281,323	\$ 292,576	\$ 292,576
Total Intergovernmental Revenue - State	\$ 281,793	\$ 281,323	\$ 292,576	\$ 292,576

**Charges for Services**

1381 Public Defender: Indigents	\$ 1,145	\$ 1,000	\$ 1,000	\$ 1,000
Total Charges for Services	\$ 1,145	\$ 1,000	\$ 1,000	\$ 1,000

**Miscellaneous Revenues**

1940 Miscellaneous Revenue	\$ 100	\$ -	\$ 10,000	\$ 10,000
Total Miscellaneous Revenues	\$ 100	\$ -	\$ 10,000	\$ 10,000

**Other Financing Sources**

2020 Operating Transfers In	\$ -	\$ 49,198	\$ 49,198	\$ 49,198
Total Other Financing Sources	\$ -	\$ 49,198	\$ 49,198	\$ 49,198

<b>Total Revenue</b>	<b>\$ 283,038</b>	<b>\$ 331,521</b>	<b>\$ 352,774</b>	<b>\$ 352,774</b>
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**Salaries and Employee Benefits**

3000 Permanent Employees / Elected Officials	\$ 1,738,226	\$ 2,195,223	\$ 2,178,002	\$ 2,178,002
3001 Temporary Employees	10,568	-	-	-
3002 Overtime	-	10,000	10,000	10,000
3004 Other Compensation	95,218	47,702	20,000	20,000
3005 Tahoe Differential	12,045	12,000	12,000	12,000
3006 Bilingual Pay	4,088	6,240	4,160	4,160
3020 Employer Share - Employee Retirement	331,246	406,169	458,691	458,691
3022 Employer Share - Medi Care	27,055	33,912	34,715	34,715
3040 Employer Share - Health Insurance	247,033	388,130	281,297	281,297
3041 Employer Share - Unemployment Insurance	1,423	-	-	-
3042 Employer Share - Long Term Disab Insurance	2,940	5,820	5,942	5,942
3043 Employer Share - Deferred Compensation	24,046	24,202	29,184	29,184
3046 Retiree Health - Defined Contributions	18,478	20,514	24,653	24,653
3060 Employer Share - Workers' Compensation	4,687	14,962	20,622	20,622
3080 Flexible Benefits	30,788	90,000	90,000	90,000
Total Salaries and Employee Benefits	\$ 2,547,841	\$ 3,254,874	\$ 3,169,266	\$ 3,169,266

**Services and Supplies**

4040 Telephone Company Vendor Payments	\$ -	\$ 1,000	\$ 1,000	\$ 1,000
4041 Cnty Pass thru Telephone Chrges to Depts	1,175	1,460	1,460	1,460
4080 Household Expense	341	300	300	300
4086 Household Expense - Janitorial/Custodial	4,380	4,380	4,380	4,380
4100 Insurance - Premium	7,868	15,484	16,481	16,481
4197 Maintenance - Building Supplies	12	-	-	-
4220 Memberships	6,340	7,180	7,290	7,290
4221 Memberships - Legislative Advocacy	-	585	780	780
4260 Office Expense	9,764	12,203	11,403	11,403
4261 Postage	456	600	600	600
4262 Software	458	540	540	540

El Dorado County  
 Detail of Financing Sources and Financing Uses  
 Governmental Funds  
 Fiscal Year 2015-16

Budget Unit **23 Public Defender**  
 Function **Public Protection**  
 Activity **Judicial**

Detail by Revenue Category and Expenditure Object	2013-14 Actual	2014-15 Actual <input type="checkbox"/> Estimated <input checked="" type="checkbox"/>	2015-16 Department Requested	2015-16 CAO Recommended
1	2	3	4	5
4263 Subscription / Newspaper / Journals	1,309	1,013	1,500	1,500
4264 Books / Manuals	25	487	-	-
4265 Law Books	2,030	1,366	2,500	2,500
4266 Printing / Duplicating	242	500	500	500
4267 On-Line Subscriptions	17,555	19,153	19,853	19,853
4300 Professional and Specialized Services	30,031	45,545	38,330	38,330
4317 Criminal Investigation	206,742	92,337	-	-
4318 Interpreter	1,665	4,000	5,000	5,000
4320 Verbatim Report - Transcription	4,642	5,500	6,000	6,000
4323 Psychiatric Medical Services	2,650	7,500	15,000	15,000
4324 Medical, Dental and Lab Services	7,766	7,500	7,500	7,500
4420 Rents and Leases - Equipment	7,906	8,319	8,319	8,319
4440 Rent & Lease - Building/Improvements	59,563	63,000	84,895	84,895
4461 Minor Equipment	-	2,000	2,000	2,000
4462 Minor Computer Equipment	-	3,750	21,300	21,300
4463 Minor Telephone and Radio Equipment	-	240	250	250
4500 Special Departmental Expense	250	12	-	-
4501 Special Projects	-	109,198	103,371	103,371
4502 Educational Materials	-	1,134	-	-
4503 Staff Development	4,577	6,250	15,250	15,250
4600 Transportation and Travel	1,518	1,500	1,500	1,500
4602 Employee - Private Auto Mileage	7,802	9,000	9,000	9,000
4605 Vehicle - Rent or Lease	554	7,500	14,724	14,724
4606 Fuel Purchases	190	4,000	8,000	8,000
4608 Hotel Accommodations	4,331	5,950	5,950	5,950
4620 Utilities	12,672	12,580	17,354	17,354
Total Services and Supplies	\$ 404,813	\$ 463,066	\$ 432,330	\$ 432,330
<b>Fixed Assets</b>				
6042 Fixed Assets - Computer Sys Equipment	\$ -	\$ 4,000	\$ -	\$ -
Total Fixed Assets	\$ -	\$ 4,000	\$ -	\$ -
<b>Intrafund Transfers</b>				
7200 Intrafund Transfers	\$ 50	\$ 100	\$ 100	\$ 100
7210 Intrafund: Collections	-	250	250	250
7223 Intrafund: Mail Service	2,326	2,481	2,699	2,699
7224 Intrafund: Stores Support	366	389	861	861
7231 Intrafund: IS Programming Support	16,205	49,440	49,440	49,440
7232 Intrafund: Maint Bldg & Improvmnts	872	-	-	-
Total Intrafund Transfers	\$ 19,818	\$ 52,660	\$ 53,350	\$ 53,350
Total Expenditures/Appropriations	\$ 2,972,472	\$ 3,774,600	\$ 3,654,946	\$ 3,654,946
Net Cost	\$ (2,689,434)	\$ (3,443,079)	\$ (3,302,172)	\$ (3,302,172)