

COUNTY OF MADERA
 BUDGET UNIT DETAIL
 BUDGET FOR THE FISCAL YEAR 2023-24

Department: PUBLIC DEFENDER
 (03600)
 Function: Public Protection
 Activity: Judicial
 Fund: General

	<u>ACTUAL 2021-22</u>	<u>BOARD APPROVED 2022-23</u>	<u>DEPARTMENT REQUEST 2023-24</u>	<u>CAO RECOMMENDED 2023-24</u>
<u>ESTIMATED REVENUES:</u>				
CHARGES FOR CURRENT SERVICES				
660600 Legal Services	453,707	690,000	690,000	690,000
TOTAL CHARGES FOR CURRENT SERVICES	453,707	690,000	690,000	690,000
MISCELLANEOUS REVENUE				
673914 Misc Reimbursement - Legal Fees	17,127	35,000	35,000	35,000
TOTAL MISCELLANEOUS REVENUE	17,127	35,000	35,000	35,000
OTHER FINANCING SOURCES				
680200 OPERATING TRANSFERS IN	0	640,620	555,810	555,810
TOTAL OTHER FINANCING SOURCES	0	640,620	555,810	555,810
<u>TOTAL ESTIMATED REVENUES</u>	<u>470,835</u>	<u>1,365,620</u>	<u>1,280,810</u>	<u>1,280,810</u>
<u>EXPENDITURES:</u>				
SERVICES & SUPPLIES				
721400 Prof. & Specialized Services-Contracts	3,578,889	3,531,584	3,672,847	3,672,847
721433 Prof. & Specialized Services-Outside Attorneys	162,774	295,000	295,000	295,000
721434 Prof. & Specialized Services-Capital Cases	81,086	125,000	105,000	105,000
TOTAL SERVICES & SUPPLIES	3,822,748	3,951,584	4,072,847	4,072,847
<u>TOTAL EXPENDITURES</u>	<u>3,822,748</u>	<u>3,951,584</u>	<u>4,072,847</u>	<u>4,072,847</u>
<u>NET COUNTY COST (EXP - REV)</u>	<u>3,351,914</u>	<u>2,585,964</u>	<u>2,792,037</u>	<u>2,792,037</u>

PUBLIC DEFENDER

COMMENTS

This Office provides legal defense to indigent defendants in criminal cases. Until 1971, this service was provided solely by private attorneys appointed by the Courts. In 1972, the County established a Public Defender's Office that was operated and staffed by County employees. On September 1, 1977, the Board of Supervisors entered into a contract with a local attorney to perform all the services of this office, which eventually resulted in contracting for three levels of Public Defender services to provide for "Conflict of Interest" cases and circumstances where there are multiple defendants. On May 10, 1994, the County approved a proposal for Public Defender services by a local law firm, which provided and coordinated, through sub-contracts, all levels of indigent defense in criminal cases. Since May 2002, the Board of Supervisors has extended the contract for these services for multiple four-year periods, as well as various amendments to address additional attorneys, contract rate adjustments, and payment of ancillary services.

ESTIMATED REVENUES

- 660600** **Legal Services** (\$690,000) is recommended at the same level based on the projected revenues to be received for Court Appointed Dependency Counsel Services.
- 673914** **Miscellaneous Reimbursements** (\$35,000) is recommended at the same level based on actual revenues received in the prior year. This account reflects reimbursements from the courts once a case is closed and there is a balance left in the legal defense funds allocated for the specific case.
- 680200** **Operating Transfers In** (\$555,810) is recommended and represents the projected available realignment revenue and reimbursements from the American Rescue Plan Act.

SERVICES & SUPPLIES

- 721400** **Professional & Specialized Services - Contracts** (\$3,531,584) is recommended at the same level and is based on actual expenditures.
- 721433** **Professional & Specialized Services - Outside Attorneys** (\$295,000) is recommended unchanged based on projected actual cost of outside attorneys. This amount represents the cost to retain attorneys for Public Defender cases when conflict of interest or multiple defendant cases occur with the contract attorneys.

SERVICES & SUPPLIES (continued)

721434 **Professional & Specialized Services - Capital Cases** (\$125,000) is recommended increased. This account reflects the estimated cost of special circumstance cases assigned to outside public defense attorneys. This amount represents the estimated cost to provide legal defense for “Special Circumstance Cases,” previously referred to as “Capital Cases,” which are anticipated to go to trial during the 2022-23 fiscal year. When outside attorneys are assigned by Superior Court as a Public Defender, services for these cases are provided through a flat-fee, per case basis with three classifications varying in degree and complexity; investigation and ancillary costs are in addition to the fees listed below:

Category 1 - \$35,000 for a relatively non-complex case with one defendant and one victim.

Category 2 - \$55,000 for a more difficult case with multiple victims or defendants, special circumstances, or complex factual or legal issues.

Category 3 - \$70,000 for the most complex case with multiple victims/defendants, high publicity/notoriety, or very complex factual or legal issues.