

COUNTY OF MADERA
 BUDGET UNIT DETAIL
 BUDGET FOR THE FISCAL YEAR 2018-19

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

	<u>ACTUAL</u> <u>2016-17</u>	<u>BOARD</u> <u>APPROVED</u> <u>2017-18</u>	<u>DEPARTMENT</u> <u>REQUEST</u> <u>2018-19</u>	<u>CAO</u> <u>RECOMMENDED</u> <u>2018-19</u>
<u>ESTIMATED REVENUES:</u>				
CHARGES FOR CURRENT SERVICES				
660600 Legal Services	220,375	293,833	535,074	535,074
TOTAL CHARGES FOR CURRENT SERVICES	220,375	293,833	535,074	535,074
MISCELLANEOUS REVENUE				
673000 Intrafund Revenue	28,905	10,000	28,905	28,905
TOTAL MISCELLANEOUS REVENUE	28,905	10,000	28,905	28,905
OTHER FINANCING SOURCES				
680200 OPERATING TRANSFERS IN	0	40,000	40,000	40,000
TOTAL OTHER FINANCING SOURCES	0	40,000	40,000	40,000
<u>TOTAL ESTIMATED REVENUES</u>	<u>249,280</u>	<u>343,833</u>	<u>603,979</u>	<u>603,979</u>
<u>EXPENDITURES:</u>				
SERVICES & SUPPLIES				
721400 Prof. & Specialized Services-Contracts	2,657,482	2,998,608	3,148,536	3,148,536
721433 Prof. & Specialized Services-Outside Attorneys	209,230	150,000	200,000	200,000
721434 Prof. & Specialized Services-Capital Cases	71,384	100,000	100,000	100,000
TOTAL SERVICES & SUPPLIES	2,938,096	3,248,608	3,448,536	3,448,536
<u>TOTAL EXPENDITURES</u>	<u>2,938,096</u>	<u>3,248,608</u>	<u>3,448,536</u>	<u>3,448,536</u>
<u>NET COUNTY COST (EXP - REV)</u>	<u>2,688,816</u>	<u>2,904,775</u>	<u>2,844,557</u>	<u>2,844,557</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. The most recent extension will end June 30, 2017 and a new four-year agreement will be presented for approval prior to the end of the current fiscal year.

ESTIMATED REVENUES

- 660600** **Legal Services** (\$535,074) is recommended increased by \$241,241 based on the projected revenues to be received for Court Appointed Dependency Counsel Services.
- 673000** **Intrafund Revenues** (\$28,905) is recommended increased by \$18,905 based on actual revenues received in the prior year.
- 680200** **Operating Transfers In** (\$40,000) is recommended unchanged from the prior year based on available realignment revenues.

SERVICES & SUPPLIES

- 721400** **Professional & Specialized Services - Contracts** (\$3,148,536) is recommended increased \$149,928 based on the second year cost of a four year funding agreement. This includes specific funding for juvenile dependency cases, which are offset by State revenues received from the Courts:

Total Contract for Public Defender Services	\$3,148,536
Juvenile Dependency Component	\$535,074*

*This amount is included in the projected cost for Public Defender Services

SERVICES & SUPPLIES (continued)

721433 **Professional & Specialized Services - Outside Attorneys** (\$200,000) is recommended increased by \$50,000 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.

721434 **Professional & Specialized Services - Capital Cases** (\$100,000) is recommended unchanged, based on the number of special circumstance cases assigned to outside public defense attorneys during the 2016-17 and 2017-18 fiscal years; these cases are currently pending trial. 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 2018-19 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.