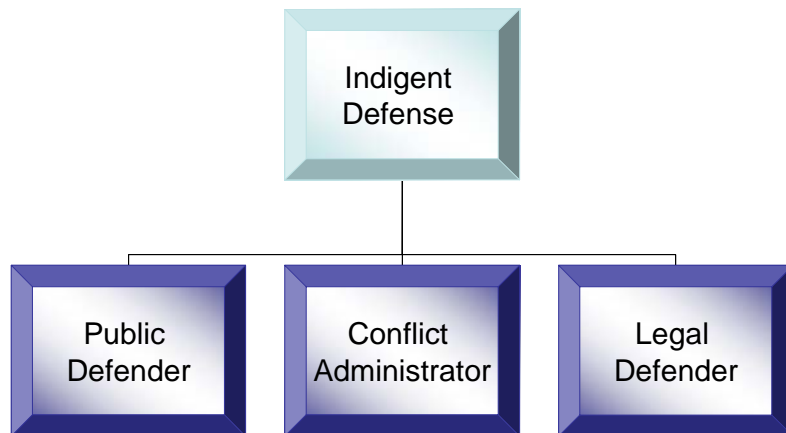


INDIGENT DEFENSE

MISSION STATEMENT

To protect the fundamental rights of all individuals by providing effective legal representation for indigent people facing criminal charges, juvenile adjudications, and mental health commitments, when appointed by Superior Court in Yuma County and Yuma County Justice Courts.

ORGANIZATION



Indigent Defense is not a single department. It is a group of three departments all having the same purpose. The departments are kept separate to prevent conflicts of interest when representing clients.

SERVICES

Criminal Defense represents people who are charged with crimes and who cannot afford a lawyer. People are also represented for matters involving their possible mental commitment.

Juvenile provides legal representation to eligible minors in criminal matters and in matters involving custody, guardianship, etc.

INDIGENT DEFENSE



STRATEGIC PLAN PERFORMANCE

Performance Measure Actuals & Benchmarks - Indigent Defense

The following measures are departmental priorities identified in the County-wide Strategic Plan:

Department Goal:	Actual	Current	Benchmarks		
Measure:	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012

Public Defender:

To continuously search out ways to improve efficiency and reduce taxpayer costs.

% of authorized positions vacant	<10%	<10%	25%	25%	25%
% of class 1 - 3 felony cases assigned that are overflowed	40%	32%	50%	50%	50%
% of indigent appeals assigned that are overflowed	0%	10%	50%	50%	50%
% of indigent post conviction relief assigned that are overflowed	17%	45%	50%	50%	50%

Legal Defender:

That residents be familiar with the services provided by their county government.

% of residents familiar with Legal Defender services	31%	31%	40%	50%	60%
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To provide comprehensive legal representation.

# of felony cases referred to Conflict Administrator	513	300	275	200	125
# of violation of probation cases referred to Conflict Administrator	347	108	75	50	25

EXPECTATIONS

LEGAL DEFENDER – GENERAL:

- **That residents be familiar with the services provided by their County government:**
County Strategic Goal: Public Awareness, Trust and participation.
Objective: By the next survey, increase the public's awareness of the County's Indigent Defense program to 46%.
Status: The 2007 Countywide survey shows that 36% of residents were very or somewhat familiar with Public and Legal Defenders.
Strategy: Update and maintain the department webpage to describe Indigent Defense services and to provide information to clients and the public. Increase the number of media releases and the use of Channel 77.
- **To fill vacant employee positions in a timely manner and with high quality employees:**
County Strategic Goal: County Resources.
Objective: As a monthly average, have 80% or more of all authorized staff attorney positions filled.
Status: This object is being achieved.
Strategy: Provide continuing legal education classes in Yuma in order to make it easier to participate in required Continuing Legal Education training. Determine if additional incentives are needed to attract and retain qualified attorneys to the Legal Defender's Office.



INDIGENT DEFENSE

EXPECTATIONS (CONCLUDED)

PUBLIC DEFENDER - GENERAL

- **Handle non-conflict capital cases in-house:**
County Strategic Goal: County Resources.
Objective: Assure that the Yuma County Public Defender has the continuing capability to handle capital cases in-house.
Status: Requested funding from the General Fund for the Capital Attorney position if FY09/10 Fill the Gap funding is insufficient.
Strategy: Current projections show sufficient Fill the Gap funding in FY09/10 for the Capital Attorney.
- **Handle non-conflict capital cases in-house:**
County Strategic Goal: County Resources.
Objective: Assure that the Yuma County Public Defender has the continuing capability to handle capital cases in-house.
Status: Requested funding from the General Fund for the Legal Secretary III position if FY09/10 Fill the Gap funding is insufficient.
Strategy: Funding from the General Fund for the Legal Secretary III position.

INITIATIVES NEW FOR 2010

Legal Defender / Public Defender / Conflict Administrator:

- This is a continuation budget this fiscal year. There are no major new initiatives, programs or additional resources.

INITIATIVES PRIOR YEAR STATUS

Legal Defender:

- Begin bringing the Attorney / Support staff ratio into parity with the County Attorney office.

Status: Ongoing

Public Defender:

- Handle more serious offense cases in-house that are currently being contracted out.

Status: Ongoing

INDIGENT DEFENSE



STAFFING LEVELS

Authorized Positions by Major Function

	2006-07	2007-08	2008-09	2008-09
Legal Defender:				
Defender	1.00	1.00	1.00	1.00
Staff Attorneys	5.00	5.00	5.00	5.00
Capital Defense Attorneys	1.00	1.00	1.00	1.00
Support	4.00	4.00	4.00	4.00
Mitigation	0.00	1.00	1.00	1.00
Public Defender:				
Defender	1.00	1.00	1.00	1.00
Staff Attorneys	10.00	10.00	10.00	10.00
Capital Defense Attorneys	0.00	1.00	1.00	1.00
Appellate Attorneys	1.00	1.00	1.00	1.00
Support	9.00	10.00	10.00	10.00
Conflict Administrator:				
Support	1.00	1.00	1.00	1.00
Total	33.00	36.00	36.00	36.00

Authorized Positions by Funding Source

	2006-07	2007-08	2008-09	2008-09
General fund	30.00	31.00	34.00	34.58
Special revenue fund	3.00	5.00	2.00	1.42
Total	33.00	36.00	36.00	36.00

There is no change in Legal Defender staffing for fiscal year 2009-10.

The Public Defender is moving .58 of a Legal Secretary III position from Fill the Gap to the General Fund due to reduced funding.

Authorized Positions by Classification

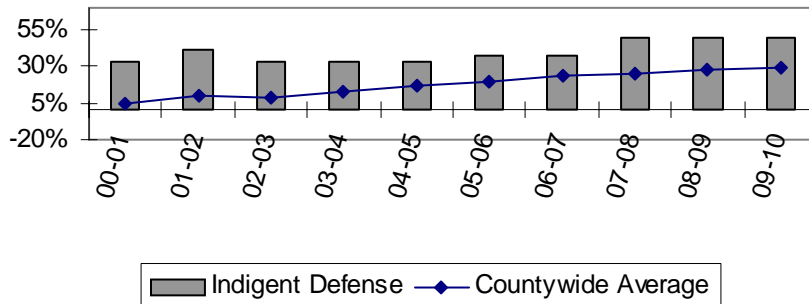
	2006-07	2007-08	2008-09	2009-10
Legal Defender:				
Legal Defender	1.00	1.00	1.00	1.00
Capital Attorney	0.00	1.00	1.00	1.00
Attorney Supv./Sr. Trial Attorney	1.00	1.00	1.00	1.00
Attorney I & III	4.00	4.00	4.00	4.00
Mitigation Assistant	1.00	1.00	1.00	1.00
Administrative Legal Assistant	1.00	1.00	1.00	1.00
Legal Secretary II & III	3.00	3.00	3.00	3.00
Total Legal Defender	11.00	12.00	12.00	12.00
Public Defender:				
Public Defender	1.00	1.00	1.00	1.00
Capital Attorney	0.00	1.00	1.00	1.00
Appellate Attorney	1.00	1.00	1.00	1.00
Attorney Supv./Sr. Trial Attorney	2.00	2.00	2.00	2.00
Attorney III	1.00	1.00	1.00	1.00
Principal Attorney	1.00	1.00	1.00	1.00
Attorney I & II	4.00	4.00	4.00	6.00
Investigator	1.00	1.00	1.00	1.00
Legal Office Supervisor	1.00	1.00	1.00	1.00
Administrative Legal Assistant	1.00	1.00	1.00	1.00
Paralegal	2.00	2.00	2.00	0.00
Legal Secretary II, & III, & Trainee	6.00	7.00	7.00	7.00
Total Public Defender	21.00	23.00	23.00	23.00
Conflict Administrator:				
Support	1.00	1.00	1.00	1.00
Total	33.00	36.00	36.00	36.00



INDIGENT DEFENSE

STAFFING LEVELS (CONCLUDED)

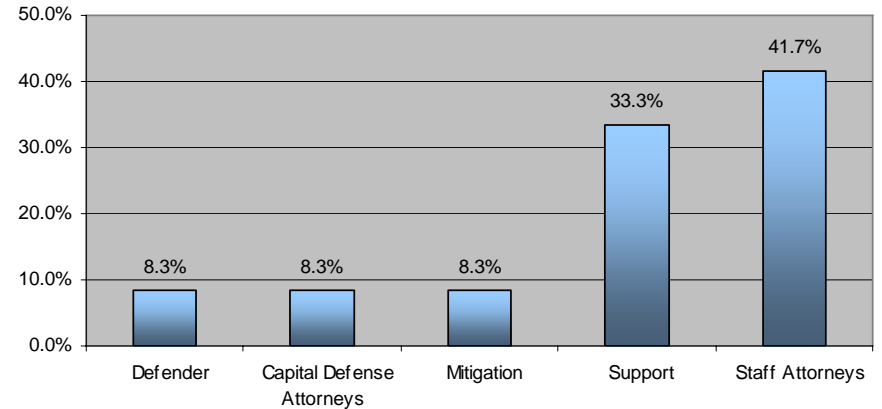
**Indigent Defense Growth in Positions
Compared to FY00 Base Yr. - All Funds**
(No agency changes in years without gray bars)



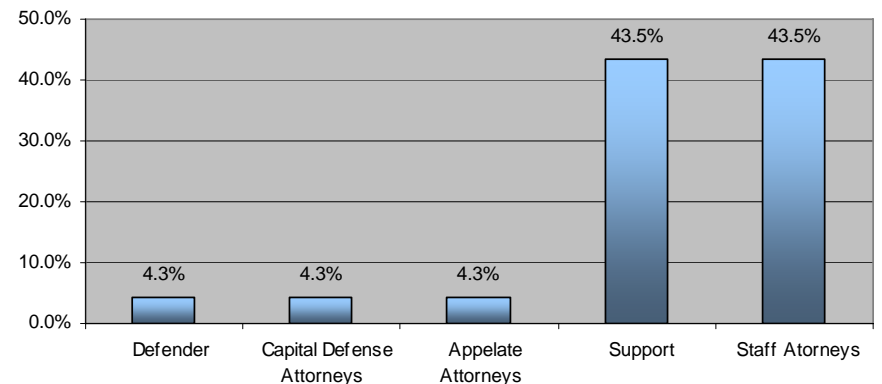
Indigent Defense staffing levels have increased 50% since fiscal year 1999-00. This is higher than the “County average” of 28.8%. The Program was authorized 24.00 positions in fiscal year 1999-00. Legal Defender was authorized 8 positions and Public Defender 16 positions.

The Conflict Administrator, through a contractual agreement, has 1.0 support staff position.

Legal Defender
Percentage of Authorized Positions by Major Function 2009-10



Public Defender
Percentage of Authorized Positions by Major Function 2009-10



INDIGENT DEFENSE



FUNDING LEVELS

Revenue: General Fund support is at the level needed for General Fund expenditures. The decrease from FY08/09 in Special Revenues consists of an anticipated reduction in Public Defender Training grant funding.

Personnel: There are no substantial changes in this fiscal year.

Supplies and services: There are no substantial changes in this fiscal year.

Capital outlay: No capital outlay is budgeted in this fiscal year.

Legal Defender	Actual 2006-07	Actual 2007-08	Budget 2008-09	Estimate 2008-09	Budget 2009-10	% Change
Sources						
General Revenue	\$ 850,987	\$ 820,765	\$ 1,126,361	\$ 1,070,901	\$ 1,162,768	3.23%
Special Revenue	3,798	4,941	4,500	3,100	3,000	-33.33%
Balance Forward	52,790	32,930	17,007	12,537	(1,796)	-110.56%
Total Sources	907,575	858,636	1,147,868	1,086,538	1,163,972	1.40%
Uses						
Personnel	777,522	725,187	1,059,616	978,386	1,090,622	2.93%
Supplies & Services	97,123	112,276	74,102	99,872	73,350	-1.01%
Capital Outlay	-	8,636	-	-	-	N/A
Debt Service	-	-	-	-	-	N/A
Reserves & Contingencies	-	-	-	-	-	N/A
Transfers In & Out	-	-	14,150	10,076	-	-100.00%
Total Uses	\$ 874,645	\$ 846,099	\$ 1,147,868	\$ 1,088,334	\$ 1,163,972	1.40%
Other Restricted	\$ 32,930	\$ 12,537	\$ -	\$ (1,796)	\$ -	N/A



INDIGENT DEFENSE

FUNDING LEVELS (CONTINUED)

Revenue: General Fund support is at the level needed for General Fund expenditures. The decrease in Special Revenues consists of anticipated reductions in Fill the Gap Earned Revenue and Public Defender Training grant funding.

Personnel: The net increase is due to a combination of filling of vacant positions and other personnel adjustments made during the previous fiscal year.

Supplies and services: The net increase is primarily related to increases in Legal Services, Translating/Interpreting, Witness Fees and Consulting Services.

Capital outlay: No capital outlay is budgeted in this fiscal year.

Public Defender	Actual 2006-07	Actual 2007-08	Budget 2008-09	Estimate 2008-09	Budget 2009-10	% Change
Sources						
General Revenue	\$ 1,247,058	\$ 1,557,505	\$ 1,837,845	\$ 2,105,141	\$ 2,017,896	9.80%
Special Revenue	100,770	113,259	89,365	79,670	46,222	-48.28%
Balance Forward	360,724	381,531	304,897	267,768	174,622	-42.73%
Total Sources	1,708,552	2,052,295	2,232,107	2,452,579	2,238,740	0.30%
Uses						
Personnel	969,914	1,389,799	1,694,055	1,815,613	1,791,568	5.76%
Supplies & Services	338,393	394,728	343,860	462,122	375,329	9.15%
Capital Outlay	18,714	-	-	-	-	N/A
Debt Service	-	-	-	-	-	N/A
Reserves & Contingencies	-	-	171,535	-	71,843	-58.12%
Transfers In & Out	-	-	22,657	222	-	-100.00%
Total Uses	\$ 1,327,021	\$ 1,784,527	\$ 2,232,107	\$ 2,277,957	\$ 2,238,740	0.30%
Other Restricted	\$ 381,531	\$ 267,768	\$ -	\$ 174,622	\$ -	N/A

INDIGENT DEFENSE



FUNDING LEVELS (CONCLUDED)

Revenue: General fund support is at the level needed for General Fund expenditures.

Personnel: There are no personnel costs budgeted for this fiscal year. The Case Flow Manager position that supplies support to the Conflict Administrator is budgeted in the Superior Court budget.

Supplies and services: There is no change from FY08/09 in this fiscal year. The Non-Department budget contains set-aside budget authority to supplement Conflict Administrator legal services in the event of overflow cases from the Legal and Public Defenders office.

Capital outlay: There is no capital outlay budgeted in this fiscal year.

Conflict Administrator	Actual 2006-07	Actual 2007-08	Budget 2008-09	Estimate 2008-09	Budget 2009-10	% Change
Sources						
General Revenue	\$ 2,027,434	\$ 1,840,624	\$ 1,333,936	\$ 1,845,395	\$ 1,333,936	0.00%
Special Revenue	-	-	-	-	-	N/A
Balance Forward	-	-	-	-	-	N/A
Total Sources	2,027,434	1,840,624	1,333,936	1,845,395	1,333,936	0.00%
Uses						
Personnel	2,160	1,200	-	1,493	-	N/A
Supplies & Services	2,025,274	1,839,424	1,333,936	1,843,902	1,333,936	0.00%
Capital Outlay	-	-	-	-	-	N/A
Debt Service	-	-	-	-	-	N/A
Reserves & Contingencies	-	-	-	-	-	N/A
Transfers In & Out	-	-	-	-	-	N/A
Total Uses	\$ 2,027,434	\$ 1,840,624	\$ 1,333,936	\$ 1,845,395	\$ 1,333,936	0.00%
Other Restricted	\$ -	\$ -	\$ -	\$ -	\$ -	N/A