

PUBLIC DEFENDER
Donald Lown, Public Defender



Public Defender (20107) \$ 1,956,864

Total \$ 1,956,864





Public Defender Summary

	<u>08/09</u> <u>Actual</u>	<u>09/10</u> <u>Adopted</u>	<u>09/10</u> <u>Estimated</u>	<u>10/11</u> <u>Proposed</u>	<u>10/11</u> <u>Adopted</u>	<u>% Change</u> <u>From Prior</u> <u>Adopted</u>																																			
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Licenses, Permits & Franchises	-	-	-	-	-	NA																																			
Fines, Forfeitures, & Penalties	-	-	-	-	-	NA																																			
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Federal/State Intergovernmental	-	-	-	-	-	NA																																			
Charges for Services	32,052	34,303	34,486	34,303	34,303	0.0%																																			
Miscellaneous Revenues	811	-	-	-	-	NA																																			
Other Financing Sources	243,654	253,990	211,795	209,697	209,697	-17.4%																																			
General Fund Transfers	-	-	-	-	-	NA																																			
General Fund Allocation	1,557,424	1,732,409	1,687,803	1,712,864	1,712,864	-1.1%																																			
Total Revenues	1,833,941	2,020,702	1,934,084	1,956,864	1,956,864	-3%																																			
Expenses																																									
Salaries & Benefits	1,577,233	1,663,544	1,568,742	1,582,841	1,582,841	-4.9%																																			
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Staffing:	13.00	13.00	12.00	12.00	12.00																																				
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* See General Fund Balance and Reserves in Section 1 for the FY 2010-11 General Fund analysis.



Public Defender

Mission Statement:

To provide the people of Nevada County with effective, vigorous, compassionate, and creative legal advocacy while protecting their Constitutional rights.

Service Description:

The Public Defender provides legal defense to indigent adults and juveniles, as appointed by the courts. Our duties are mandated by the United States Constitution, the California Constitution and the laws of California.

The Public Defender staff work together to manage a large number of cases. Each day the staff meet with clients, research legal issues, prepare for trials and hearings, seek rehabilitation options for clients and participate in educational outreach activities.

Major Accomplishments in 2009-10:

- Provided quality legal services to 3146 clients.
- During this fiscal year we have had several staff out on medical leave. Essentially, the office has been down at least one senior attorney the entire fiscal year. The remaining staff has struggled to handle the caseload which has grown dramatically over the past year. The Public Defender has increased his own caseload and limits have been in place on vacations for the entire fiscal year.
- Objectives for case assignments, interviews, arraignment and fast-track staffing have been met.
- A portion of the salary savings has been used for an entry level temporary part-time attorney to travel to Truckee on the two heaviest calendar days to help reduce the overload situation with the Truckee attorney.
- Mr. Humpheys, who handles the extreme overload situation in Truckee was awarded the 2009 Dedicated Employee of the Year honor for his hard work and extreme dedication to his clients, the department, and the county.
- The new case management system is in the first stages of implementation.
- Public Defender community outreach continues to include Boy Scouts, Law Day, Veterans Stand Down, DUI in Schools Program, Juvenile Peer

Court, Drug Prevention Task Force and Substance Abuse Advisory Board.

- Attorneys participated in the annual Law Enforcement Awards ceremony.
- Homeless assistance and outreach continues.
- Conflict policy continues to reduce cases going to outside assigned counsel. Public Defender staff continues to take probation violations where private counsel handles the underlying offense.
- The \$50,000 contract for outside counsel to handle Mental Health clients who had formerly been covered by the MIOCR Grant was eliminated. The Public Defender has assimilated all those clients and cases, and continues to take on all new Mental Health clients.
- The Public Defender registration fee, collected from nearly all clients at the outset of each case, has been increased from \$25 to \$50 after approval by the Board of Supervisors.
- Tracking expenses for ancillary services has continued to eliminate unnecessary costs.

Objectives & Performance Measures for 2010-11:

Objective:

Provide quality legal services in a timely and efficient manner.

Performance Measures:

- Continue to assign 100% of clients to an attorney within 24 hours of discovery receipt.
- Continue to staff arraignments and "fast track" when appropriate.
- Schedule 75% of client interviews with assigned attorney within 48 hours, if in custody, within 3 weeks if out of custody.
- The Public Defender is now reviewing and assigning all felony cases other than those in Truckee. Those are all handled by the same attorney, with part-time assistance.
- Continue to balance the workload of each attorney and assist with the caseload of the Truckee deputy.
- Modify court assignments to reduce duplicative attorney time in court.



Public Defender

- Maintain and increase effectiveness of the problem-solving courts and therapeutic courts. Collaborate with the court teams to identify alternative resources after grant expirations.

Objective:

Promote education in the community regarding the justice system and alternative courts.

Performance Measures:

- Have Public Defenders continue to interact with community groups.
- Continue to participate in educating students about court processes and the criminal justice system.
- Continue to participate in drug and alcohol prevention programs in the schools.
- Promote education in the community regarding the justice system and alternative courts.

Objective:

Expand the use of interns and volunteer attorneys.

Performance Measures:

- Aggressively recruit at area law schools and undergraduate colleges.

Objective:

Promote participation in County training programs and committees, and increase in-house MCLE training.

Performance Measures:

- Continue staff participation in leadership training
- Maintain presence on County committees, interdepartmental and interagency teams.
- Support increased attorney participation in Nevada County Community Leadership Program.
- Increase in-house mandatory MCLE training to help offset further reductions to the budget.

Service Budget Unit Code	- 20107
Office/Department	- Public Defender
Major Service Area	- Public Protection/Justice





Public Defender (20107)

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Revenues						
Taxes	-	-	-	-	-	NA
Licenses, Permits & Franchises	-	-	-	-	-	NA
Fines, Forfeitures, & Penalties	-	-	-	-	-	NA
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2010/11 Fund Analysis:						
					Fund Balance	
		Revenues	Expenses		Added (Used)	
General Fund	Fund # 0101	1,956,864	1,956,864		-	
		1,956,864	1,956,864		-	

Comments/Analysis of Differences:

In order to mitigate the funding shortfall for 2009-10 and 2010-11 the department has reduced staffing by 1 FTE. The Assistant Public Defender position has been deleted as of April 2, 2010.

Public Hearing Comments:

Adopted as proposed.



