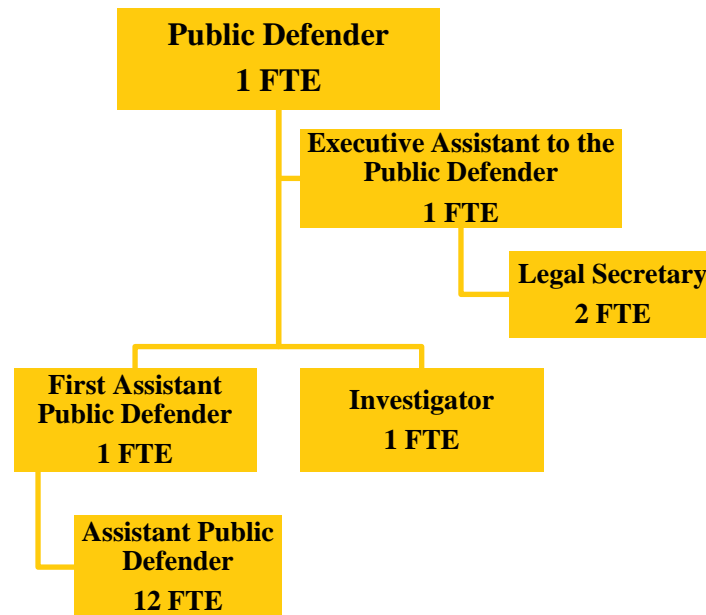


## **PUBLIC DEFENDER**

### **Fund 080-036**



Public Defender positions: 18 FTE

The office, position, and duties of the public defender are statutorily created and defined in the Illinois Counties Code Division 3-4 Public Defender and Appointed Counsel (55 ILCS 5/3-4).

### ***MISSION STATEMENT***

*To effectively represent indigent persons in criminal, traffic, mental health, abuse/neglect, juvenile, and other miscellaneous cases in Champaign County.*

### ***BUDGET HIGHLIGHTS***

Per Illinois law, two-thirds of the salary of the Public Defender is to be reimbursed by the State.

Public Defender fees are ordered by the judiciary.

A nominal increase of \$1,000 was made to the “Professional Services” line item. This line item covers interpreters routinely needed and used by our office as well as expert witness expenses. As our community becomes more diverse so does the language interpreter professional expenses we require to communicate with our clients and effectively represent them in their court matters. Previously we have used attorneys in our office who speak fluent Spanish to interpret as much as possible for our clients during attorney/client consultations. We have a felony attorney handling traffic/DUI Spanish interpreter cases and a felony attorney handling the misdemeanor Spanish interpreter cases. It is becoming overwhelming to have a felony attorney handling the traffic interpreter call (currently 21 cases in addition to a full felony caseload) and I may need to move those cases back to the traffic attorneys, which will require additional funds for interpretation during attorney/client consultations.

A savings of \$16,000 in our personnel budget is projected for this year into next year. This savings/personnel budget decrease was generated when the former First Assistant Public Defender left the office and a senior attorney from within the office filled the position.

## ***FINANCIAL***

<b>Fund 080 Dept 036</b>			<b>2017 Actual</b>	<b>2018 Original</b>	<b>2018 Projected</b>	<b>2019 Budget</b>
335	70	STATE SALARY REIMBURSEMENT	\$99,895	\$100,000	\$99,895	\$102,108
		FEDERAL, STATE & LOCAL SHARED REVENUE	\$99,895	\$100,000	\$99,895	\$102,108
341	10	COURT FEES AND CHARGES	\$12,146	\$16,000	\$10,000	\$15,000
		FEES AND FINES	\$12,146	\$16,000	\$10,000	\$15,000
369	90	OTHER MISC. REVENUE	\$40	\$0	\$0	\$0
		MISCELLANEOUS	\$40	\$0	\$0	\$0
<b>REVENUE TOTALS</b>			<b>\$112,081</b>	<b>\$116,000</b>	<b>\$109,895</b>	<b>\$117,108</b>
511	2	APPOINTED OFFICIAL SALARY	\$149,858	\$149,858	\$149,858	\$153,155
511	3	REG. FULL-TIME EMPLOYEES PERSONNEL	\$953,163 \$1,103,021	\$966,633 \$1,116,491	\$950,620 \$1,100,478	\$947,097 \$1,100,252
522	1	STATIONERY & PRINTING	\$0	\$500	\$500	\$500
522	2	OFFICE SUPPLIES	\$5,967	\$4,407	\$4,407	\$4,407
522	3	BOOKS,PERIODICALS & MAN.	\$85	\$525	\$525	\$525
522	6	POSTAGE, UPS, FED EXPRESS	\$14	\$0	\$0	\$0
522	15	GASOLINE & OIL	\$256	\$350	\$350	\$350
522	44	EQUIPMENT LESS THAN \$5000 COMMODITIES	\$2,223 \$8,545	\$820 \$6,602	\$820 \$6,602	\$820 \$6,602
533	5	COURT REPORTING	\$1,608	\$900	\$900	\$900
533	7	PROFESSIONAL SERVICES	\$2,690	\$3,000	\$4,000	\$4,000
533	12	JOB-REQUIRED TRAVEL EXP	\$7	\$82	\$82	\$82
533	33	TELEPHONE SERVICE	\$970	\$1,900	\$1,900	\$1,900
533	40	AUTOMOBILE MAINTENANCE	\$0	\$150	\$330	\$330
533	42	EQUIPMENT MAINTENANCE	\$0	\$60	\$60	\$60
533	51	EQUIPMENT RENTALS	\$120	\$120	\$120	\$120
533	68	WITNESS EXPENSE	\$128	\$418	\$418	\$418
533	93	DUES AND LICENSES	\$4,356	\$5,187	\$5,187	\$5,187
533	94	INVESTIGATION EXPENSE	\$49	\$2,500	\$2,500	\$2,500
533	95	CONFERENCES & TRAINING SERVICES	\$651 \$10,579	\$2,700 \$17,017	\$2,700 \$18,197	\$2,700 \$18,197
<b>EXPENDITURE TOTALS</b>			<b>\$1,122,145</b>	<b>\$1,140,110</b>	<b>\$1,125,277</b>	<b>\$1,125,051</b>

***EXPENSE PER CAPITA and FULL TIME EMPLOYEE HISTORY*** information is included in the *General Corporate Fund Budget Summary*.

## ***ALIGNMENT to STRATEGIC PLAN***

*County Board Goal 1 – Champaign County is committed to being a high performing, open and transparent local government organization*

- Provide flexibility in scheduling and communicating with clients to meet their needs
- Provide quality services delivered in a professional manner
- Comply with ethical and continuing legal education requirements established by the Illinois Supreme Court

*County Board Goal 3 –Champaign County promotes a safe, just and healthy community*

- To zealously defend the rights of indigent persons charged with crimes, and those persons for whom the Court appoints the Public Defender to represent
- Work with justice stakeholders to deal with issues of mutual concern such as technology in the courtroom and jail overcrowding.

## ***DESCRIPTION***

The Public Defender's Office represents individuals who are indigent and cannot afford to hire counsel of their choosing. Most of the cases assigned to the office involve criminal defendants in felony, misdemeanor, traffic, and juvenile delinquency cases. The office also represents parties in abuse and neglect cases and, occasionally, in post-conviction, mental health commitment, sexually dangerous person, and child support contempt cases. The Public Defender's Office has fourteen full-time attorneys, three full-time support staff and one full-time investigator.

## ***OBJECTIVES***

To effectively represent indigent persons during all phases of a court case from arraignment through post-conviction proceedings.

## ***PERFORMANCE INDICATORS***

<b>Indicator</b>	<b>2017 Actual</b>	<b>2018 Projected</b>	<b>2019 Budgeted</b>
<b>FELONY CASES</b> (criminal & felony traffic – filed as CF)			
Filed with the Circuit Clerk	1806	1934	1934
Opened by the Public Defender	1998	1814	1814
Closed by the Public Defender	1824	1526	1526
<b>MISDEMEANOR CASES</b> (criminal only – filed as CM)			
Filed with the Circuit Clerk	1143	1278	1278
Opened by the Public Defender	1045	1108	1108
Closed by the Public Defender	1004	992	992
<b>TRAFFIC CASES</b> (criminal only – filed as TR and DT) *			
Filed with the Circuit clerk	2335	1962	1962
Opened by the Public Defender (non petty TR and DT)	2495	2706	2706
Closed by the Public Defender	2645	2634	2634
<b>JUVENILE DELINQUENCY CASES</b> (filed as JD and J)			

<b>Indicator</b>	<b>2017 Actual</b>	<b>2018 Projected</b>	<b>2019 Budgeted</b>
Filed with the Circuit Clerk	210	222	222
Opened by the Public Defender	206	210	210
Closed by the Public Defender	207	190	190
<b>JUVENILE ABUSE/NEGLECT CASES</b> (filed as JA)			
Filed with the Circuit Clerk	76	108	108
Opened by the Public Defender	107	126	126
Closed by the Public Defender	83	62	62
<b>PROBATION VIOLATIONS</b> (filed as PTR in CF,CM,TR) **			
Opened by the Public Defender	NT	120	120
Closed by the Public Defender	NT	100	100
<b>POST CONVICTION CASES</b> (filed in CF cases) ***			
Opened by the Public Defender	NT	24	24
Closed by the Public Defender	NT	15	15
<b>MENTAL HEALTH</b> (filed as MH)			
Opened by the Public Defender	9	20	20
Closed by the Public Defender	9	20	20
<b>CONTEMPT CASES</b> (filed as CC) ***			
Opened by the Public Defender	NT	60	60
Closed by the Public Defender	NT	45	45

## **NOTES**

- 1) Projected numbers for the Circuit Clerk are based on court filings from January to June 2018 (six months). Projected numbers for the Public Defender are based on reports filed with the County Board for January to June 2018 (six months).
- 2) Public Defender numbers may exceed actual number of cases filed with the Circuit Clerk because the PDO “re-opens” previously closed files when the State files a petition to revoke a sentence, etc. (we are starting to track cases differently so this should be reduced in the future)
- 3) In abuse/neglect, two attorneys are appointed in the same case so numbers reflect multiple office “openings” in the same case, which is why there is a discrepancy in the number of cases filed by the Circuit Clerk vs. the number of cases opened by the Public Defender’s Office.
- 4) NT – not previously tracked or consolidated into other categories and now tracking independently (See \*\* and \*\*\* below)

\* Only misdemeanor DUI cases are reflected here since DUIs can be filed as DT or CF and are handled by multiple attorneys. Felony traffic and DUI’s are reflected in the felony statistics.

\*\*Statistics are not available for FY 2017 and are not completely accurate for FY 2018 as we just started tracking them separately. These cases were previously ‘re-opened’ in TR, DT, CM or CF which would skew the PD open and closed cases for each category. Having this as a separate category will better reflect opened/closed cases in all categories. This tracking started near the end of May 2018.

\*\*\*Statistics are not available for this category for FY 2017 and are not completely accurate for FY 2018 as we just started tracking them separately. These cases were previously 're-opened' as a CF case or miscellaneous and closed to miscellaneous. Having these as separate categories will better reflect opened/closed cases in all categories. This tracking started near the end of May 2018.