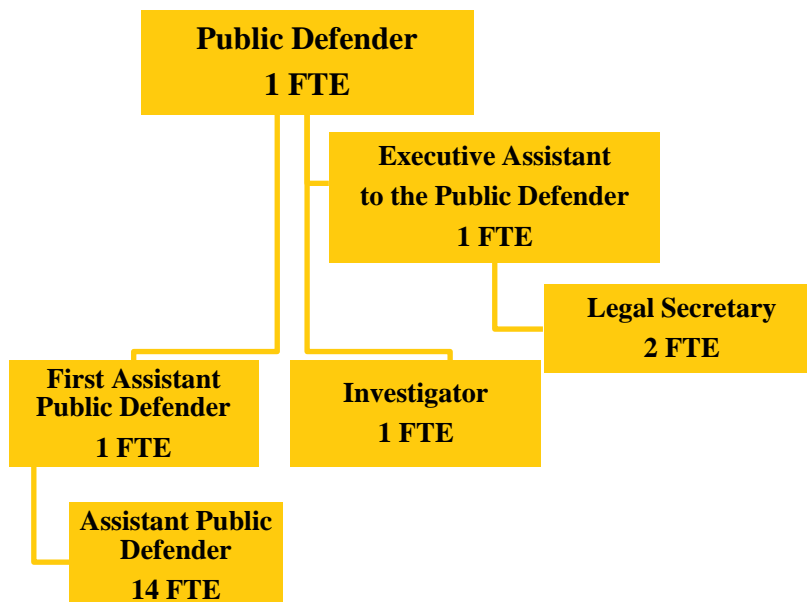


**PUBLIC DEFENDER**  
**Fund 080-036**



Public Defender positions: 20 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, abuse/neglect, juvenile, and other miscellaneous cases in Champaign County.*

**BUDGET HIGHLIGHTS**

The FY 2020 Court Appointed Counsel Fees were a slight increase over the 2019 revenue. This was unexpected due to the COVID -19 pandemic. It is expected that the FY 2021 Fees revenue will be at the same level or slightly higher than the FY 2020 revenue.

The Fee structure for the Court Appointed Counsel Fee was changed by the Judiciary in FY 2021. The Fee structure was \$200 per felony case, \$100 per misdemeanor case and \$75 per traffic matter. Many of these fees were being waived if the Defendant qualified for the CTAA Fee and Assessment Waiver. Now the Fee structure is a flat \$25 fee per case which will not be waived.

The Illinois Supreme Court enlisted the Sixth Amendment Center to conduct a study on Trial-Level Indigent Defense Services in Illinois. The Sixth Amendment Center rightly concluded that the Champaign County Public Defender’s office is woefully understaffed. Due to staffing needs and to attempt to move closer to complying with the National Advisory Commission on Criminal Justice Standards (NAC) caseload standards, we are requesting the addition of one full-time secretary and three full-time assistant public

defender attorneys. This is an addition of four full-time staff. There will be some building costs associated with this request as the office is currently too small to accommodate increased attorney staffing.

**FINANCIAL**

Fund 080 Dept 036			2020	2021	2021	2022
			Actual	Original	Projected	Budget
332	38	CURE PROGRAM	\$3,195	\$0	\$0	\$0
335	70	STATE SALARY REIMBURSEMENT	\$105,846	\$104,248	\$104,248	\$110,061
		FEDERAL, STATE & LOCAL SHARED REVENUE	\$109,041	\$104,248	\$104,248	\$110,061
341	10	COURT FEES AND CHARGES	\$52,363	\$53,000	\$53,000	\$55,000
		FEES AND FINES	\$52,363	\$53,000	\$53,000	\$55,000
<b>REVENUE TOTALS</b>			<b>\$161,404</b>	<b>\$157,248</b>	<b>\$157,248</b>	<b>\$165,061</b>
511	2	APPOINTED OFFICIAL SALARY	\$165,371	\$161,065	\$161,065	\$165,091
511	3	REG. FULL-TIME EMPLOYEES PERSONNEL	\$1,043,537	\$1,057,305	\$1,057,305	\$1,196,217
			\$1,208,908	\$1,218,370	\$1,218,370	\$1,361,308
522	1	STATIONERY & PRINTING	\$0	\$500	\$500	\$500
522	2	OFFICE SUPPLIES	\$7,923	\$4,407	\$7,900	\$8,000
522	3	BOOKS,PERIODICALS & MAN.	\$0	\$525	\$525	\$525
522	6	POSTAGE, UPS, FED EXPRESS	\$26	\$26	\$26	\$26
522	15	GASOLINE & OIL	\$163	\$350	\$350	\$350
522	44	EQUIPMENT LESS THAN \$5000 COMMODITIES	\$214	\$820	\$820	\$820
			\$8,326	\$6,628	\$10,121	\$10,221
533	5	COURT REPORTING	\$904	\$900	\$1,000	\$1,600
533	7	PROFESSIONAL SERVICES	\$7,659	\$4,000	\$7,650	\$8,000
533	12	JOB-REQUIRED TRAVEL EXP	\$0	\$82	\$0	\$0
533	29	COMPUTER/INF TCH SERVICES	\$100	\$0	\$0	\$0
533	33	TELEPHONE SERVICE	\$1,201	\$1,900	\$1,900	\$1,900
533	40	AUTOMOBILE MAINTENANCE	\$620	\$330	\$330	\$330
533	42	EQUIPMENT MAINTENANCE	\$0	\$60	\$60	\$60
533	51	EQUIPMENT RENTALS	\$120	\$120	\$120	\$120
533	68	WITNESS EXPENSE	\$0	\$418	\$418	\$418
533	93	DUES AND LICENSES	\$4,182	\$5,187	\$5,187	\$5,187
533	94	INVESTIGATION EXPENSE	\$128	\$2,500	\$2,500	\$2,500
533	95	CONFERENCES & TRAINING SERVICES	\$250	\$2,700	\$2,700	\$2,700
			\$15,164	\$18,197	\$21,865	\$22,815
<b>EXPENDITURE TOTALS</b>			<b>\$1,232,398</b>	<b>\$1,243,195</b>	<b>\$1,250,356</b>	<b>\$1,394,344</b>

**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. 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, post-conviction matters, sexually dangerous person cases, and occasionally, in 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>2020 Actual</b>	<b>2021 Projected</b>	<b>2022 Budgeted</b>
<b>FELONY CASES</b> (criminal & felony traffic–filed as CF)			
Filed with the Circuit Clerk	1493	1550	1900
Opened by the Public Defender	1369	1500	1800
Closed by the Public Defender	1199	1600	1600
<b>MISDEMEANOR CASES</b> (criminal only–filed as CM)			
Filed with the Circuit Clerk	809	850	1000
Opened by the Public Defender	701	746	800
Closed by the Public Defender	569	700	800
<b>TRAFFIC CASES</b> (criminal only – filed as TR and DT) *			
Filed with the Circuit clerk	2910	3000	3000
Opened by the Public Defender (non petty TR and DT)	2627	2700	2800
Closed by the Public Defender	2044	2200	2500
<b>JUVENILE DELINQUENCY CASES</b> (filed as JD and J)			
Filed with the Circuit Clerk	153	160	160
Opened by the Public Defender	133	154	150
Closed by the Public Defender	153	120	130
<b>JUVENILE ABUSE/NEGLECT CASES</b> (filed as JA)			
Filed with the Circuit Clerk	131	100	120

<b>Indicator</b>	<b>2020 Actual</b>	<b>2021 Projected</b>	<b>2022 Budgeted</b>
Opened by the Public Defender	188	150	110
Closed by the Public Defender	71	106	106
<b>PROBATION VIOLATIONS</b> (filed as PTR in CF,CM,TR DUI)			
Opened by the Public Defender	247	376	370
Closed by the Public Defender	229	348	350
<b>POST CONVICTION CASES</b> (filed in CF cases)			
Opened by the Public Defender	6	5	8
Closed by the Public Defender	2	3	5
<b>CONTEMPT CASES</b> (filed as CC)			
Opened by the Public Defender	12	24	25
Closed by the Public Defender	20	12	20

### **NOTES**

- 1) Projected numbers for the Circuit Clerk are based on court filings from January to end of June 2021 (six months). Projected numbers for the Public Defender are based on reports filed with the County Board for January to June 2021 (six months).
- 2) 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 versus the number of cases opened by the Public Defender’s Office.
- 3) Our open cases in felony, misdemeanor, traffic and juvenile delinquency may be slightly larger than those opened by the Circuit Clerk as each time a case is re-opened from warrant status it shows as a newly opened case. We have changed the process of tracking those statistics differently and will have a category in the future to deal with cases specifically opened from warrant status.
- 4) The actual numbers for 2020 and projected numbers for 2021 are lower than expected and projected to be lower than normal due to the pandemic.

\* 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.



**DESCRIPTION**

The Public Defender’s Automation Fund receives payments of \$2.00 from defendants pursuant to statute, 705 ILCS 135/15-5 to 15/40, to defray the expenses of the Public Defender’s Office for establishing and maintaining automated record keeping systems.

**OBJECTIVES**

To collect, maintain, and disperse funds in accordance with statutory requirements.

**PERFORMANCE INDICATORS**

<b>Indicator</b>	<b>FY2020 Actual</b>	<b>FY2021 Projected</b>	<b>FY2022 Budgeted</b>
Total funds collected	\$529	\$650	\$650
Allowable purchases made	\$0.00	\$0.00	\$0.00
Appropriate adherence to statutory requirements for management of funds	Yes	Yes	Yes