

# Office of the Defender General

## Fiscal Year 2018 Budget

Caseload, Performance and Cost Per Case

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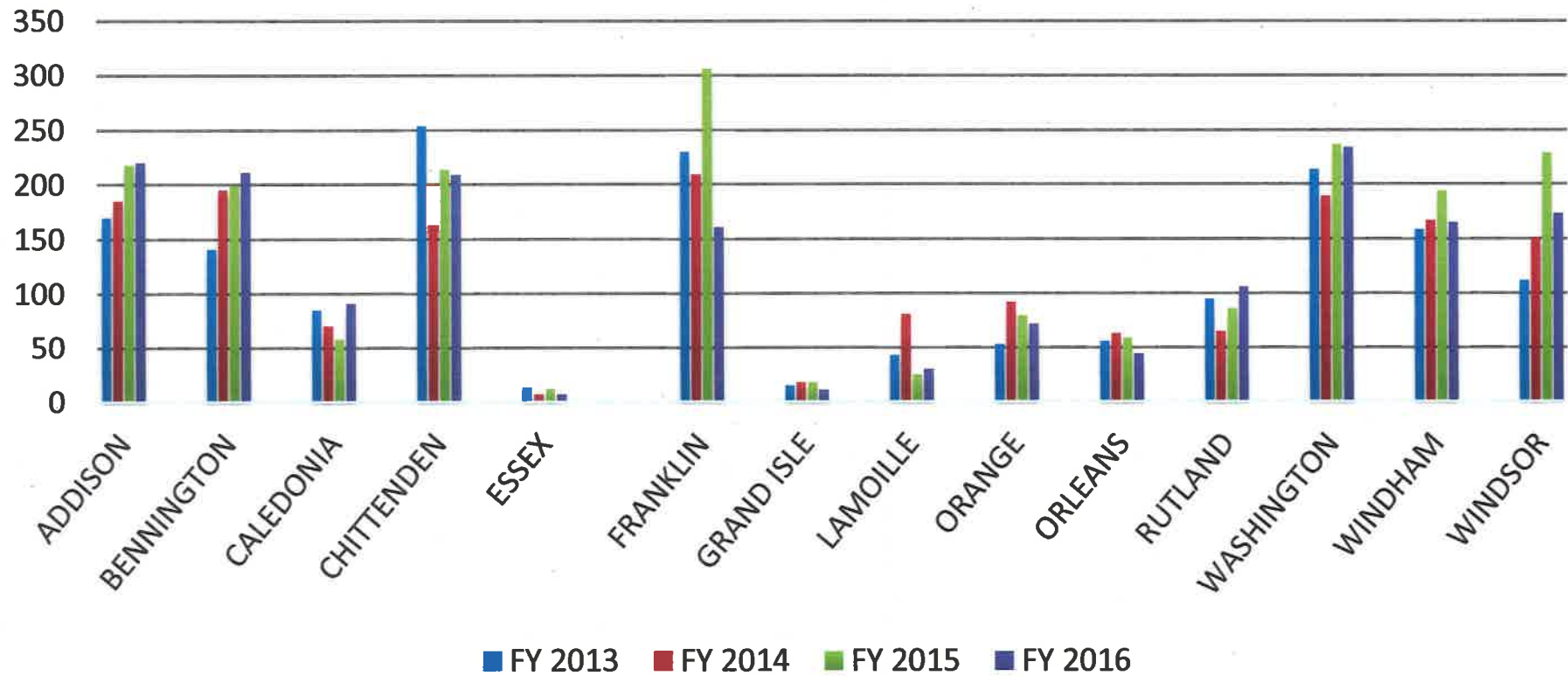
January 2017

PUBLIC DEFENDER - TOTAL ADDED CASES - FY 2016															
	FELONY		MISDEMEANOR		JUVENILE		OTHER		TOTAL		FY 2015		% INC/DEC		
	CHGS	CLTS	CHGS	CLTS	CHGS	CLTS	CHGS	CLTS	CHGS	CLTS	CHGS	CLTS	CHGS	CLTS	
ADDISON	111	84	467	301	238	220	45	34	861	639	874	659	-1.5	-3.0	
MARSH	0	0	0	0	238	220	0	0	238	220	229	218	3.9	0.9	
STAFF OFFICE	111	84	467	301	0	0	45	34	623	419	645	441	-3.4	-5.0	
BENNINGTON	445	247	1078	519	253	211	274	150	2050	1127	1938	968	5.8	16.4	
CALEDONIA	114	82	557	303	96	91	169	63	936	539	754	399	24.1	35.1	
CHITTENDEN	760	599	3237	2124	245	209	269	181	4511	3113	4392	2924	2.7	6.5	
ESSEX	26	21	66	30	8	7	16	15	116	73	112	63	3.6	15.9	
FRANKLIN/GRAND ISLE	262	202	1107	749	201	172	152	99	1722	1222	2236	1527	-23.0	-20.0	
FRANKLIN	251	192	1022	700	189	161	138	88	1600	1141	2067	1404	-22.6	-18.7	
GRAND ISLE	11	10	85	49	12	11	14	11	122	81	169	123	-27.8	-34.1	
LAMOILLE	33	25	163	119	34	30	28	25	258	199	519	318	-50.3	-37.4	
ORANGE	76	60	228	130	86	72	58	45	448	307	595	371	-24.7	-17.3	
ORLEANS	95	67	488	296	55	44	103	42	741	449	831	486	-10.8	-7.6	
RUTLAND	306	225	1261	752	128	106	281	137	1976	1220	1803	1069	9.6	14.1	
WASHINGTON	323	210	1102	651	265	234	200	109	1890	1204	1257	823	50.4	46.3	
WINDHAM	297	188	1293	613	197	165	233	143	2020	1109	2169	1128	-6.9	-1.7	
WINDSOR	393	227	1123	589	195	173	250	123	1961	1112	2345	1367	-16.4	-18.7	
TOTAL	3241	2237	12170	7176	2001	1734	2078	1166	19490	12313	19825	12102	-1.7	1.7	
FY 2015	3326	2263	12000	6782	2249	1935	2250	1122	19825	12102					
% INC/DEC	-2.6	-1.1	1.4	5.8	-11.0	-10.4	-7.6	3.9	-1.7	1.7					

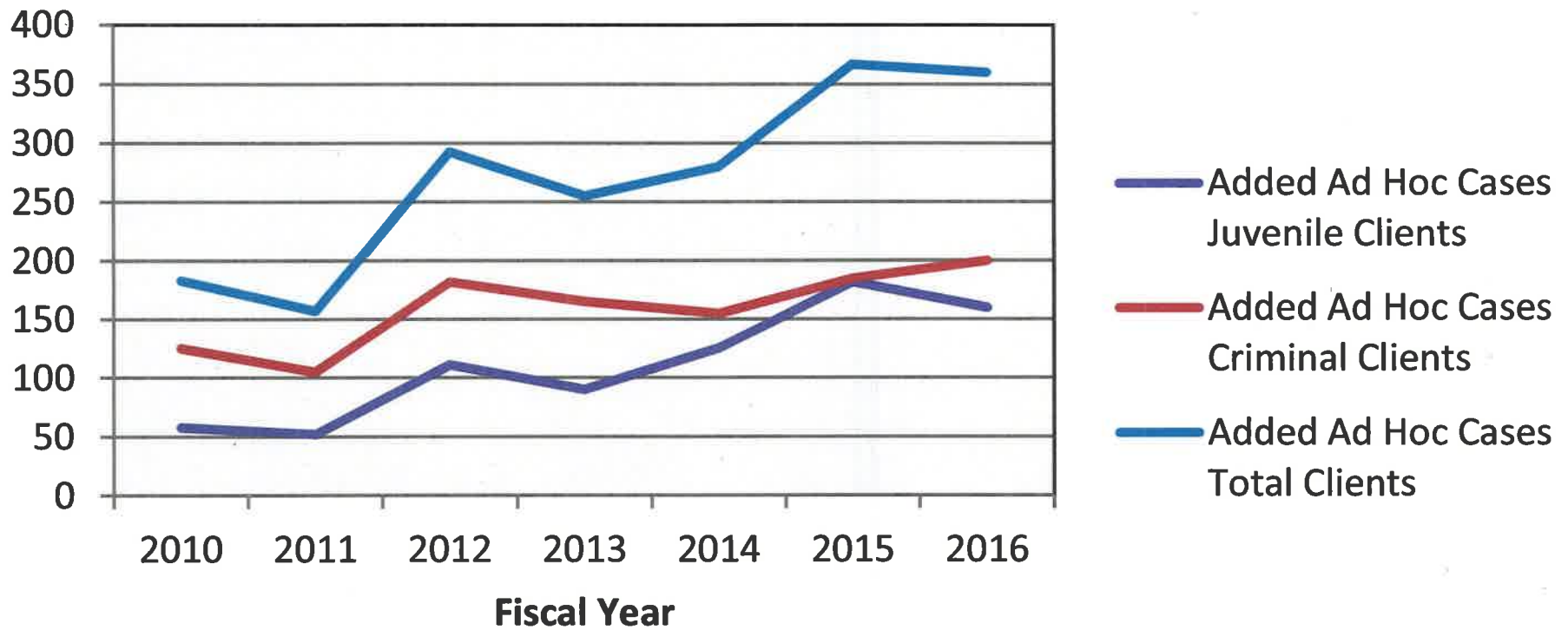
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Note: Felony cases increased 11.5% FY 2017 first half compared to FY 2016 first half

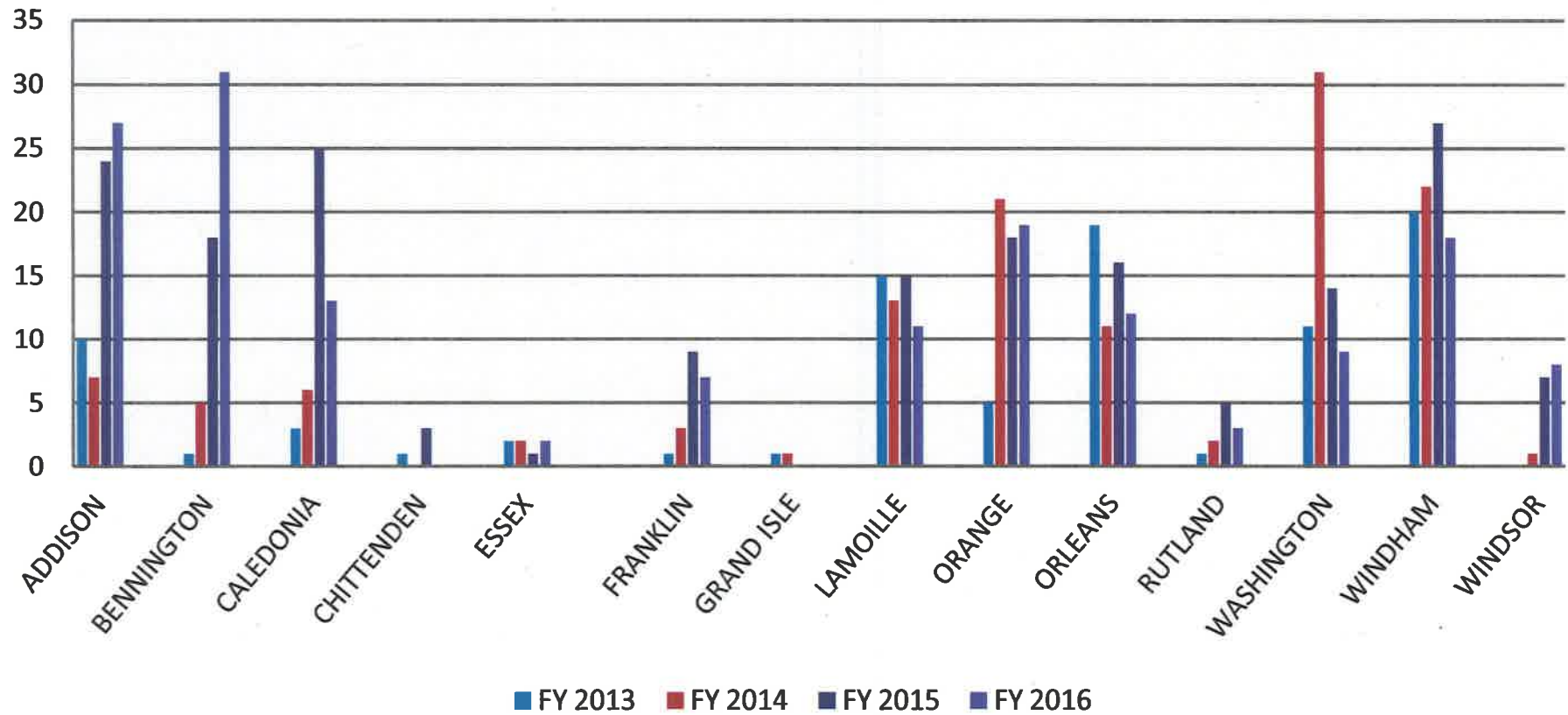
## Office of the Defender General Public Defense - Total Added Juvenile Cases



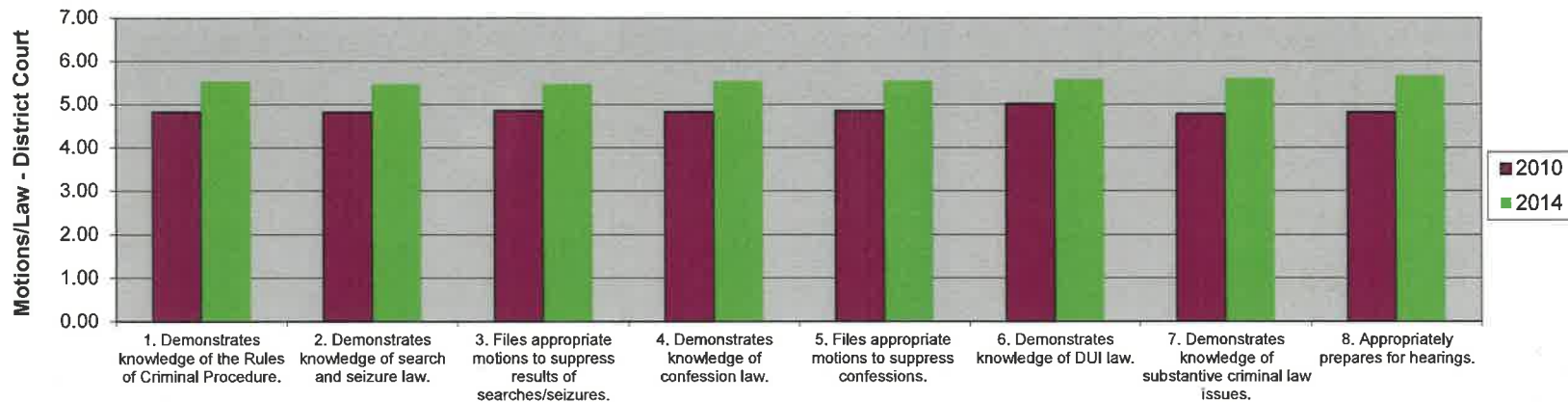
## Office of the Defender General Added Ad Hoc Cases



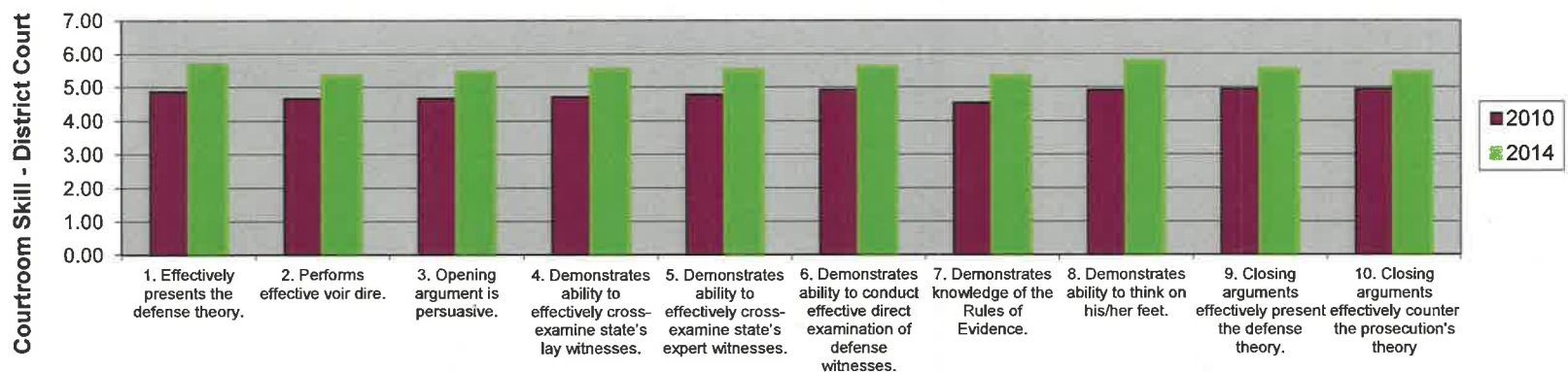
## Office of the Defender General Ad Hoc - Total Added Juvenile Cases



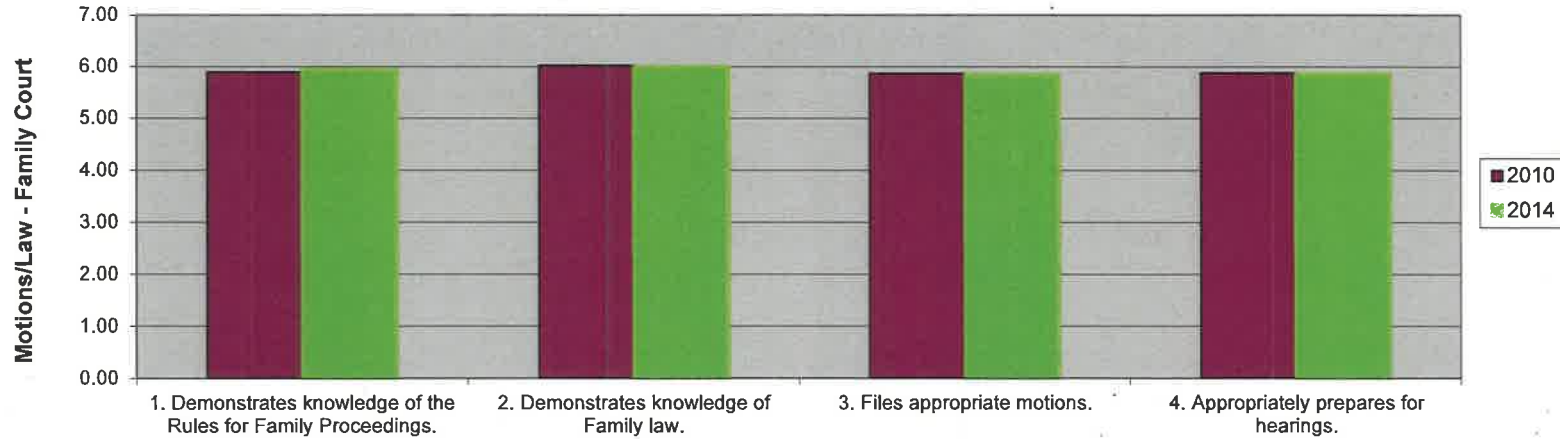
Office of the Defender General  
Assigned Counsel Contractor Judicial Performance Evaluations: 2010 & 2014 Comparison



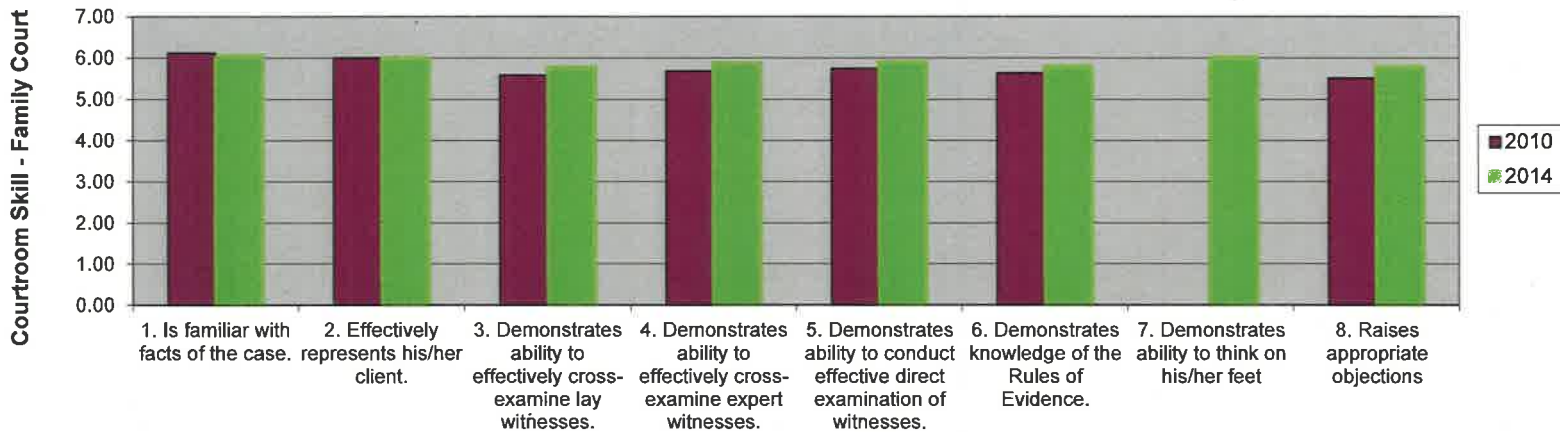
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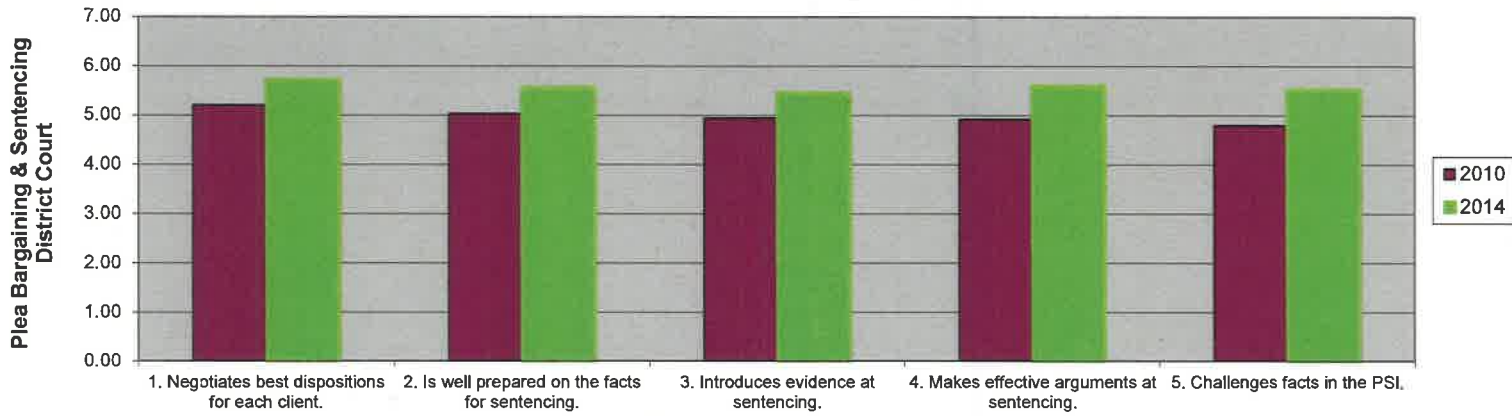


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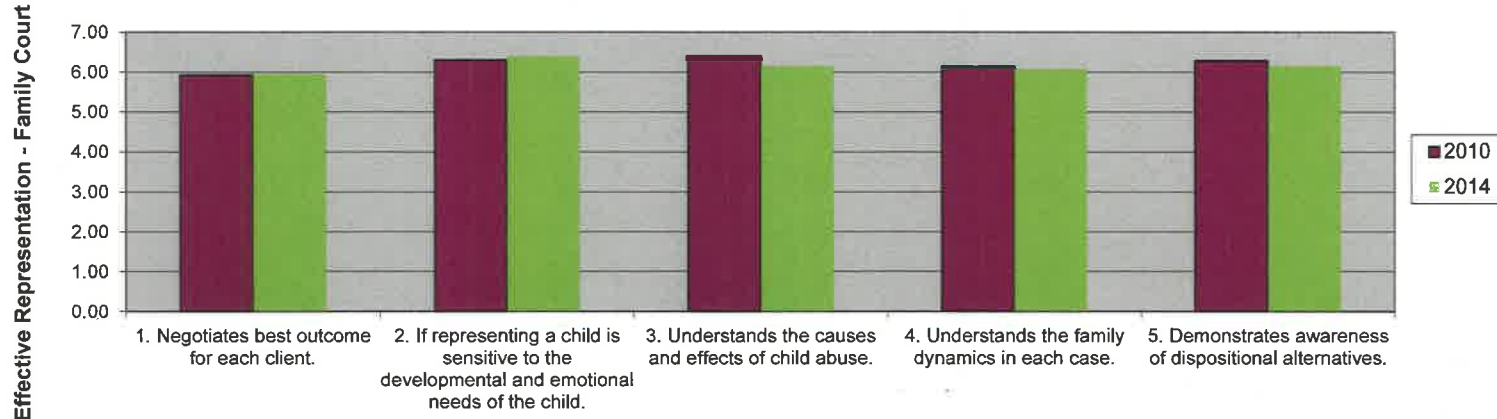




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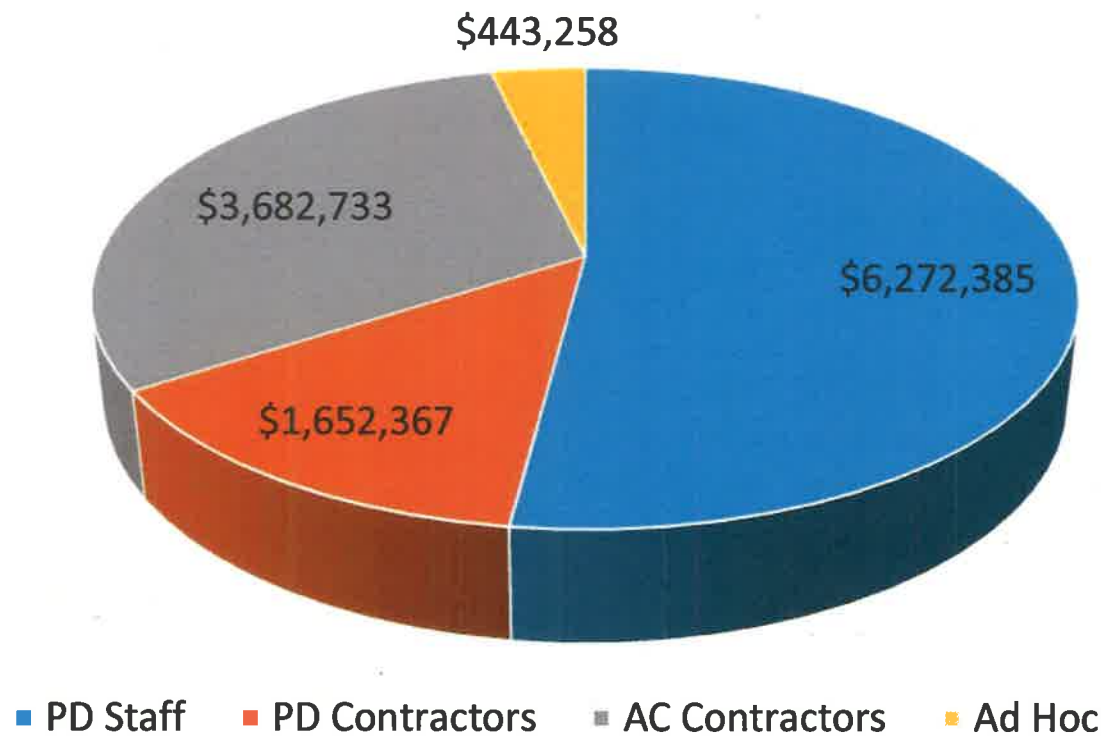


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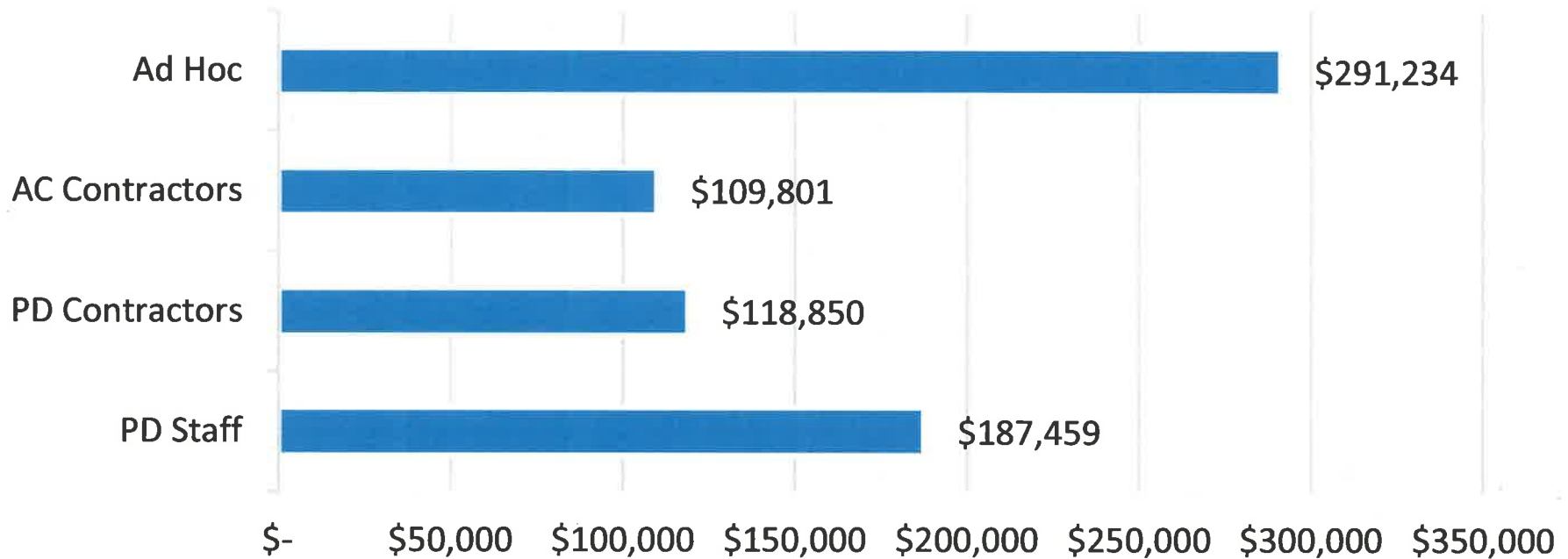




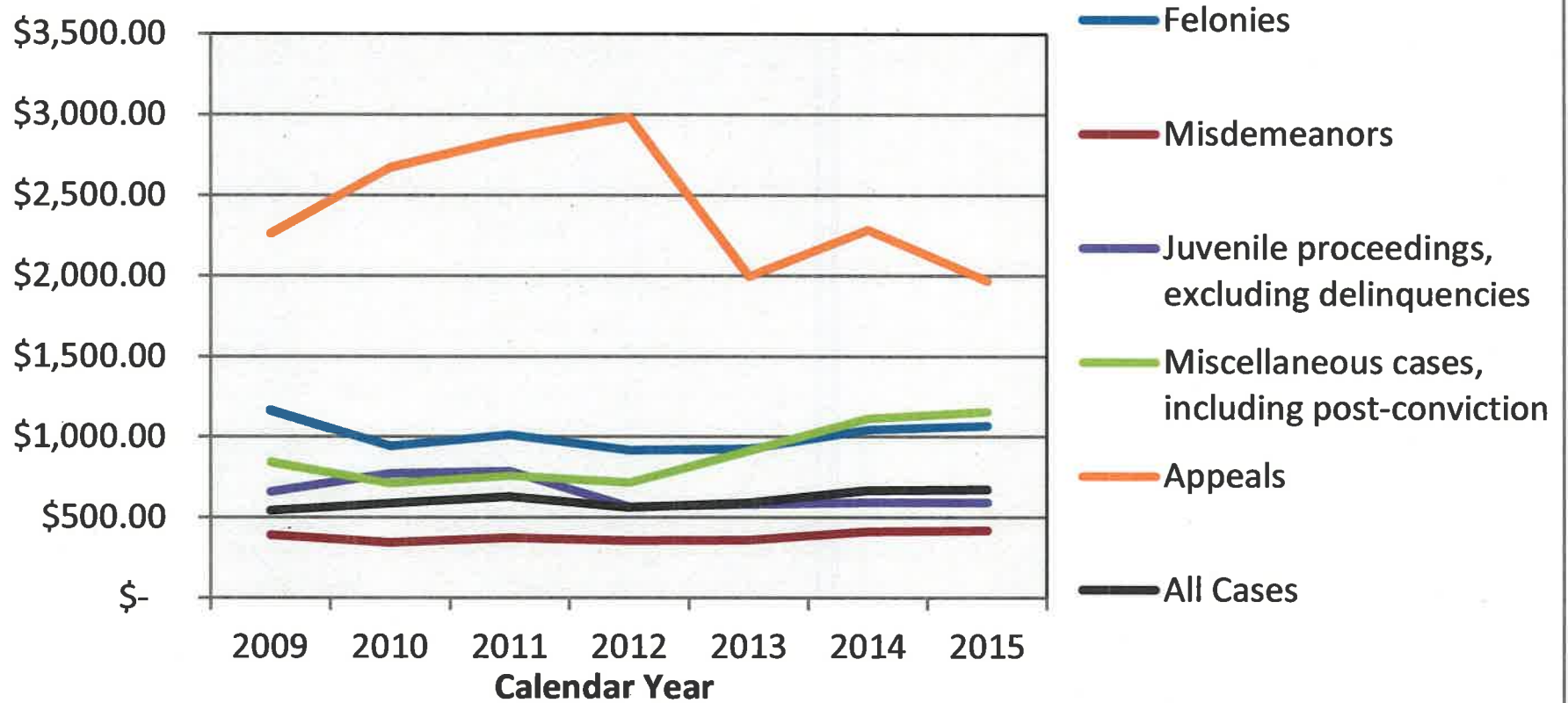
## Office of the Defender General Calendar 2015 Cost



Office of the Defender General  
Cost per Lawyer Equivalent Caseload  
Based on Cal 2015 Cost and FY 2016 1-2 LEC



## Office of the Defender General Blended Cost Per Case



**FY 2018 GOVERNOR'S BUDGET RECOMMENDATIONS - PROGRAM PERFORMANCE MEASURES**

AGENCY NAME:	
DEPARTMENT NAME:	Office of the Defender General
DIVISION NAME:	Public Defense
PRIMARY APPROPRIATION #	2110000100
PROGRAM NAME	Public Defense
PROGRAM NUMBER (if used)	
FY 2018 Appropriation \$\$	\$ 11,873,613.00
Budget Amounts in Primary appropriation not related to this program:	\$ -
Program Budget Amounts from other appropriation:	\$ -
Program Budget Amounts from other appropriation:	\$ -
Program Budget Amounts from other appropriation:	\$ -
Program Budget Amounts from other appropriation:	\$ -
Program Budget Amounts from other appropriation:	\$ -
TOTAL PROGRAM BUDGET FY 2017	\$ 11,873,613.00

**Population-Level Outcomes Drop Down (scroll and select):**  
 (scroll down and select)  
 (1) Vermont has a prosperous economy.  
 (2) Vermonters are healthy.  
 (3) Vermont's environment is clean and sustainable.  
 (4) Vermont's communities are safe and supportive.  
 (5) Vermont's families are safe, nurturing, stable, and supported.  
 (6) Vermont's children and young people achieve their potential, including:  
 (6)(A) Pregnant women and young people thrive.  
 (6)(B) Children are ready for school.

**POPULATION-LEVEL OUTCOME:** Vermonters entitled to appointed counsel in criminal and juvenile cases receive effective legal advocacy.

**POPULATION-LEVEL INDICATOR:** Needy individuals are provided adequate representation in a cost-efficient manner.

*An Indicator is: A measurable condition of well-being for children, adults, families, communities. Examples: violent crime rate; median house price; unemployment rate; % of electric generation from renewable sources; % registered voters voting in general election; % structurally deficient bridges; etc. Not all performance measures have measurable indicators, although the performance measure may well inform the ultimate Outcome and/or the state of the Outcome.*

**Performance Measure Data**

**Performance Measure A:** Public Defense number of Added Cases  
**Type of PM A:** 1. How much did we do? (a.k.a. quantity or output) (Good PM)

**Performance Measures Types (scroll and select):**  
 (scroll down and select)  
 1. How much did we do? (a.k.a. quantity or output) (Good PM)  
 2. How well did we do it? (a.k.a. quality or efficiency) (Better PM)  
 3. Is anyone better off? (a.k.a. effectiveness or result/outcome) (Best PM)

	FY 2015	FY 2016	FY 2017 Budget	FY 2017 BAA	FY 2018 Budget
25	12,102	12,313	12,500	12,500	12,700

**Performance Measure B:**  
**Type of PM B:** (scroll down and select)

(scroll down and select)  
 1. How much did we do? (a.k.a. quantity or output) (Good PM)  
 2. How well did we do it? (a.k.a. quality or efficiency) (Better PM)  
 3. Is anyone better off? (a.k.a. effectiveness or result/outcome) (Best PM)

	FY 2015	FY 2016	FY 2017 Budget	FY 2017 BAA	FY 2018 Budget
26					

**Performance Measure C:**  
**Type of PM C:** 2. How well did we do it? (a.k.a. quality or efficiency) (Better PM)

(scroll down and select)  
 1. How much did we do? (a.k.a. quantity or output) (Good PM)  
 2. How well did we do it? (a.k.a. quality or efficiency) (Better PM)  
 3. Is anyone better off? (a.k.a. effectiveness or result/outcome) (Best PM)

	FY 2015	FY 2016	FY 2017 Budget	FY 2017 BAA	FY 2018 Budget
27					

**NARRATIVE/COMMENTS/STORY:** Describe the program. Who/what does it serve? Are there any data limitations or caveats? Explain trend or recent changes. Speak to new initiatives expected to have future impact.

**FY 2018 GOVERNOR'S BUDGET RECOMMENDATIONS - PROGRAM PERFORMANCE MEASURES**

**AGENCY NAME:**

**DEPARTMENT NAME:** Office of the Defender General

**DIVISION NAME:** Public Defense

In 1972, the Vermont Legislature passed the Public Defender Act, Title 13, Chapter 163 and created the Office of the Defender General (ODG) which began discharging the constitutional right of needy persons charged with serious crimes to representation. The ODG is also statutorily required to provide counsel in the following matters: to children who are the subject of juvenile proceedings as alleged delinquents; to parties in juvenile proceedings including children in need of care and supervision (CHINS) as required by the interests of justice; to children in the custody of the Commissioner of the Department of Children and Families; to persons in the custody of the Commissioner of Corrections; and, to needy persons in extradition, or probation or parole revocation proceedings.

The Office of the Defender General consists of two separate programs, Public Defense and Assigned Counsel. In Public Defense there are twelve full-time public defense field offices located throughout the State. Seven of these offices are staff offices. Five of these offices are public defense contract offices, private law firms that have entered into a contract with the Defender General to provide public defense services. Additionally there Serious Felony Unit contracts, and specialized caseload relief, appellate and juvenile representation contracts. There are also two offices which handle matters post adjudication. The Appellate Defender handles appeals to the Supreme Court. The Prisoners' Rights Office represents persons in the custody of the Commissioner of Corrections. The Juvenile Defender's Office represents juveniles in state custody, and, at times, the parents of juveniles in state custody in matters of delinquency, CHINS and termination of parental rights.

Caseload: One of the prime measures of the demand for services is the number of added clients. Public defenders are assigned by the courts and routinely represent significantly more clients than is recommended by the Lawyer Equivalency Caseload (LEC) Guideline.

Contractor Level of Payment: PD Contractors are one of the most cost-efficient ways to provide services, but they are very underpaid in comparison to staff offices (about 45% less per LEC than staff offices). The primary contracts are up for renewal in FY 2018, and it is crucial to keep these contracts in place with an amount that will allow the contractor to be able to continue services.