



MEMORANDUM

Date: January 23, 2017

To: The Honorable Chair and Members
Pima County Board of Supervisors

From: C.H. Huckelberry
County Administrator

A handwritten signature in black ink, appearing to read "CHH", is written over the printed name "C.H. Huckelberry".

Re: **Projected Budget Savings in Public Defense Services**

As I previously reported to the Board of Supervisors, we have begun actively monitoring Public Defense Services (PDS) expenditures. The expenditures are largely driven by other components of the criminal justice system such as law enforcement and prosecution. The County is obligated to provide defense services based on constitutional requirements. The budget for the aggregate PDS, which includes expenditures for the Public Defender, Legal Defender, Mental Health Defender, Children's Counsel and related Juvenile Defense Services, as well as contract counsel, is \$32,691,944 for Fiscal Year 2016/17.

The attached January 19, 2017 memorandum from the PDS Director indicates a \$500,000 net General Fund impact reduction based on a number of actions. These include establishment of an Adult Dependency Unit in the Public Defender's Office and increased caseload in the Public Defender and Legal Defender Trial Attorney functions. It should be noted that felony case assignments for the first half this fiscal year rose 7.5 percent, yet case assignments to contract lawyers declined.

Given budget exceedances in certain other components of the criminal justice system, it is important that County Administration become proactive in fiscal management issues associated with the system. I intend to do so, as monies saved in this most rapidly growing expenditure area of the County can be used for other activities such as road repair.

CHH/anc

Attachment

c: Tom Burke, Deputy County Administrator for Administration
Ellen Wheeler, Assistant County Administrator
Lori Lefferts, Director, Public Defense Services
Keith Dommer, Director, Finance and Risk Management
Robert Johnson, Budget Manager, Finance and Risk Management

To: C.H. Huckelberry
County Administrator

Date: 1/19/2017

From: Lori J. Lefferts
PDS Director



Re: Public Defense Services FY16/17 Mid-Year Report

Mid-year spending for Public Defense Services is down **\$337,461** from last year's mid-year mark. For the same period, revenues are up **\$155,225**, resulting in a reduced net impact to the General Fund of **\$492,686** (as compared to FY15/16 mid-year).

Juvenile Dependency Cases

A substantial contributor to the reduction in expenditures is the creation, ten months ago, of the Adult Dependency Unit within the Public Defender's Office, which quickly grew to a group now numbering six attorneys. In the first half of FY16/17, the group (of then four attorneys) accepted appointments in 293 dependency cases - cases that would otherwise have gone to contract attorneys. The *net* savings realized in that reporting period was **\$140,000**. The PD Dependency Unit is currently housed with the PD Delinquency group on Ajo Road. The building is now at maximum capacity, therefore, any further expansion would necessitate new space.

In further efforts to control contract attorney spending in Dependency cases, beginning January 1, 2017, the compensation plan for contract attorneys has been revised. The old flat rate of \$1,000 per case, which led to unnecessary windfalls for attorneys, has been eliminated. The attorneys will now be paid on a strictly hourly basis for all work performed in Juvenile Court.

Felony Trials

Total felony case assignments year-to-date in FY16/17 have risen 7.5% over the prior six-month period, resulting in high caseloads for Public Defender and Legal Defender trial attorneys. Nonetheless, case assignments to contract lawyers declined this quarter, which will help contain costs. PDS is currently providing greater oversight of contract attorney billing and case related expenses to further help reduce spending. Many case-related services required in contract cases that were previously outsourced are now offered in-house, at a reduced cost.

Discussions are in progress with the Pima County Attorney's Office to expand diversion opportunities for drug offenders in the early stages of prosecution. Diversion programs not only benefit the participants, by providing drug treatment and other social services, they strengthen the community, and reduce the burden on the court system, thus saving tax dollars. PDS supports the development of these programs, and will provide attorney-staffing as needed.

Summary

Attached is a spread sheet reporting actual expenditures, by quarter, for each case type within each department for the last ten quarters. Also attached are charts, shown by case type, depicting case assignment numbers and corresponding expenditures for the same ten-quarter period.

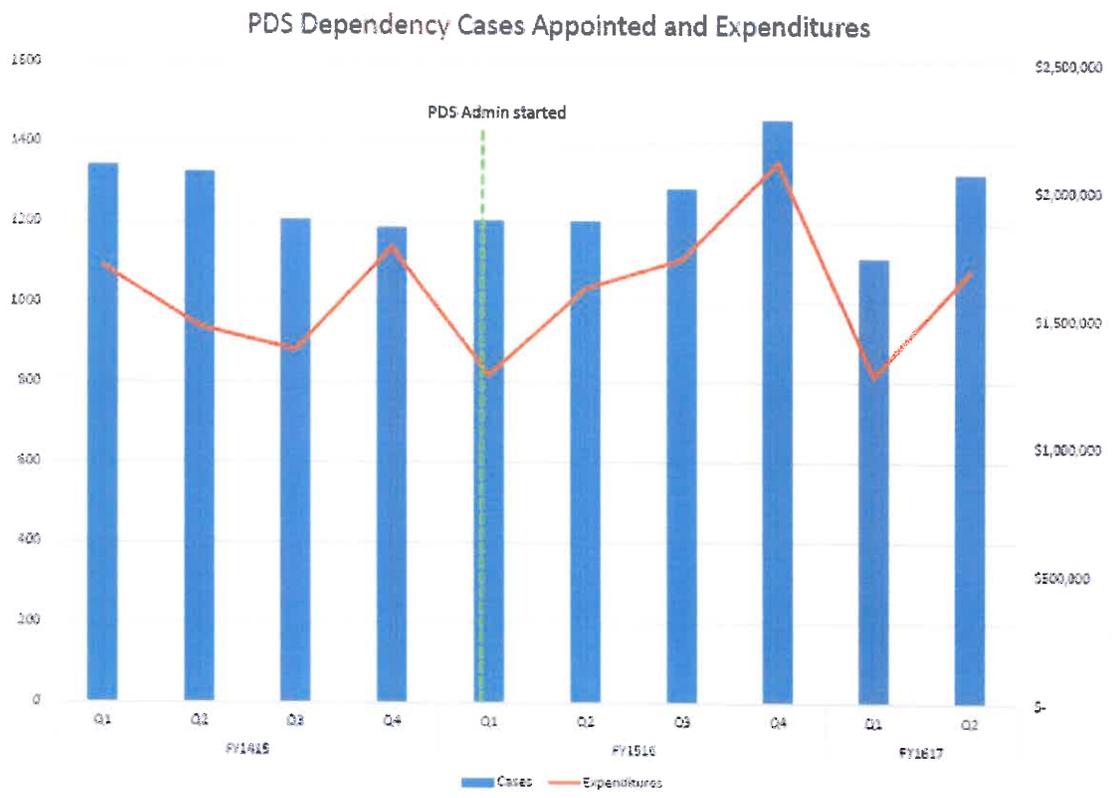
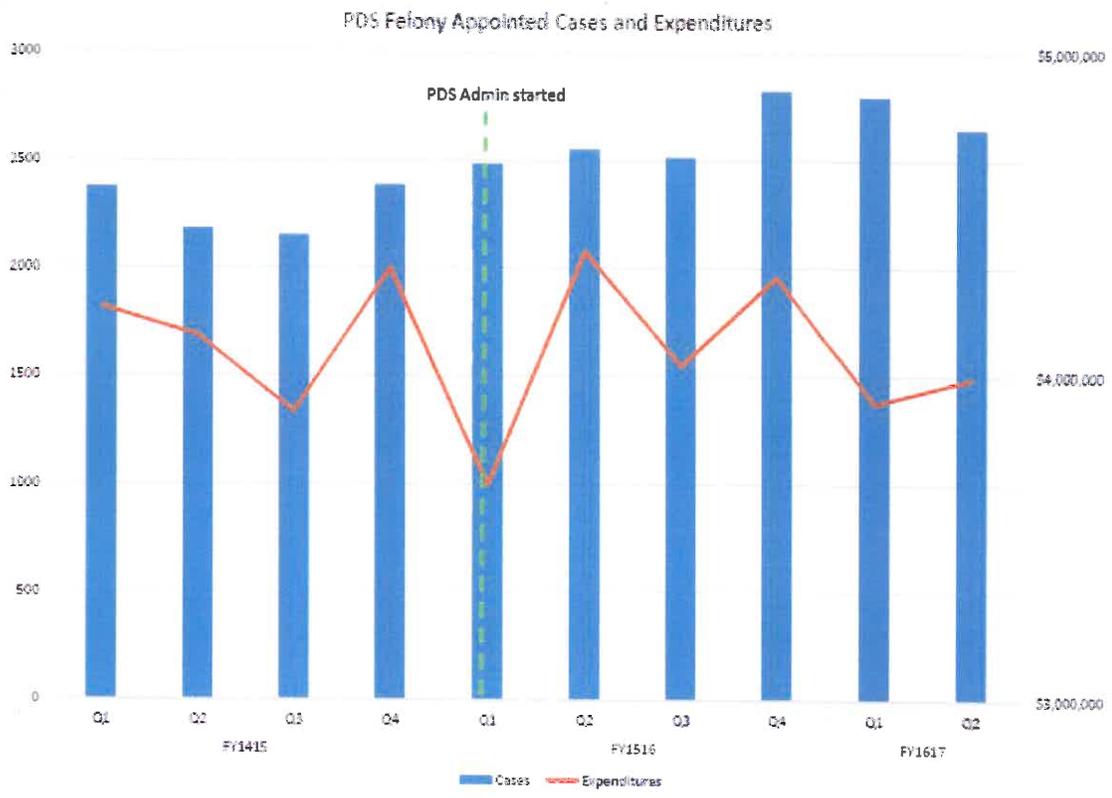
Contract attorney expenditures continue to be the least predictable of PDS costs. However, with diligent efforts by all departments to decrease the reliance on contract attorneys, PDS expects to build on the successes of last fiscal year in reversing the spending trend.

Attachments

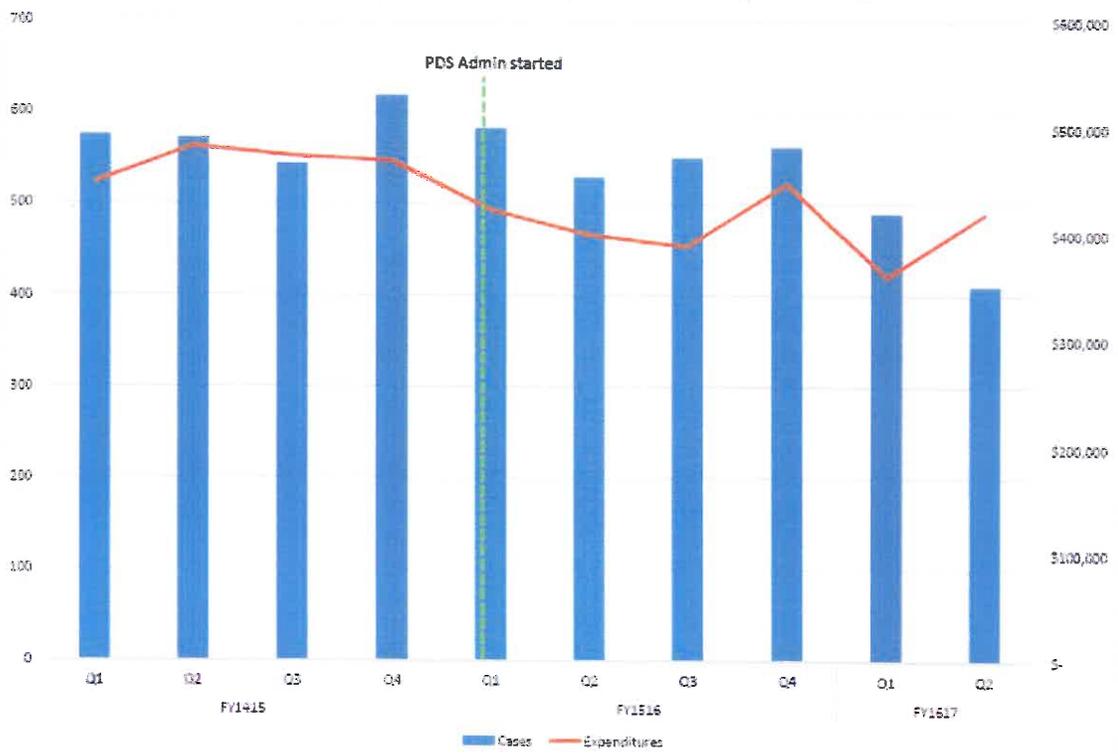
c: Ellen Wheeler

	FY2015		FY2015		FY2015		FY2016		FY2016		FY2017	
	Qtr1	Qtr2	Qtr3	Qtr4	Qtr1	Qtr2	Qtr3	Qtr4	Qtr1	Qtr2	Qtr3	Qtr4
Totals w/ PDS & Dept Admin												
2519 PD Appeals	243,460.68	252,869.58	249,632.91	234,416.51	218,941.17	235,916.72	228,197.92	306,022.12	174,201.88	187,839.36	2,632,728.22	362,299.97
2520 PD Felony	2,469,796.69	2,532,348.88	2,347,109.48	2,499,739.28	2,455,393.24	2,685,704.69	2,603,840.13	2,577,326.93	2,776,430.35	2,632,728.22	362,299.97	108,228.14
2521 PD Juvenile	399,395.00	433,193.04	431,874.66	420,181.64	388,502.65	360,300.93	348,082.67	396,279.07	330,078.51	362,299.97	108,228.14	161,510.73
2607 PD Adult Dep									66,404.44			
2524 LD Appeals	161,689.98	179,956.07	182,008.64	198,842.19	136,297.10	153,063.94	184,390.30	192,449.78	149,872.59	161,510.73	855,476.66	133,793.82
2525 LD Felony	846,005.47	845,747.87	826,152.93	823,464.04	860,767.33	908,515.70	840,113.52	804,148.51	938,805.95	855,476.66	540,741.03	311,648.07
2527 MHD	116,523.37	122,968.21	118,506.61	120,859.68	130,515.74	135,304.47	134,144.53	133,990.48	139,918.83	133,793.82	504,913.52	246,544.22
2528 OCC Juvenile	395,797.81	392,566.87	398,984.42	386,916.41	443,656.77	469,598.90	469,886.69	485,204.35	510,332.06	540,741.03	1,038,387.23	7,141,816.88
2530 CAC Appeals	30,092.27	40,651.20	33,192.85	46,118.76	191,450.88	383,207.86	356,039.20	547,077.20	156,456.80	311,648.07	6,342,364.70	8,418,358.27
2531 CAC Felony	533,883.16	1,048,495.93	1,220,743.93	1,815,053.93	349,008.86	789,802.76	588,106.09	924,096.95	201,853.26	504,913.52	246,544.22	57,705.88
2532 CAC Misd	136,232.78	339,556.70	318,031.23	371,347.08	193,235.50	275,468.75	241,625.48	375,530.20	167,918.23	246,544.22	699,232.56	6,342,364.70
2533 CAC Juv Delinq	32,862.59	50,334.59	35,598.45	48,621.25	34,357.27	39,360.76	40,638.47	51,315.62	30,859.26	57,705.88	1,038,387.23	7,141,816.88
2534 CAC Juv Dep	798,847.78	1,468,154.41	1,105,194.49	1,539,599.45	835,181.63	1,148,070.79	1,261,667.57	1,624,917.06	699,232.56	1,038,387.23	7,141,816.88	8,418,358.27
	6,164,587.58	7,706,843.35	7,267,030.60	8,505,160.22	6,237,308.16	7,584,316.28	7,296,732.57	8,418,358.27	6,342,364.70	7,141,816.88	8,418,358.27	6,342,364.70

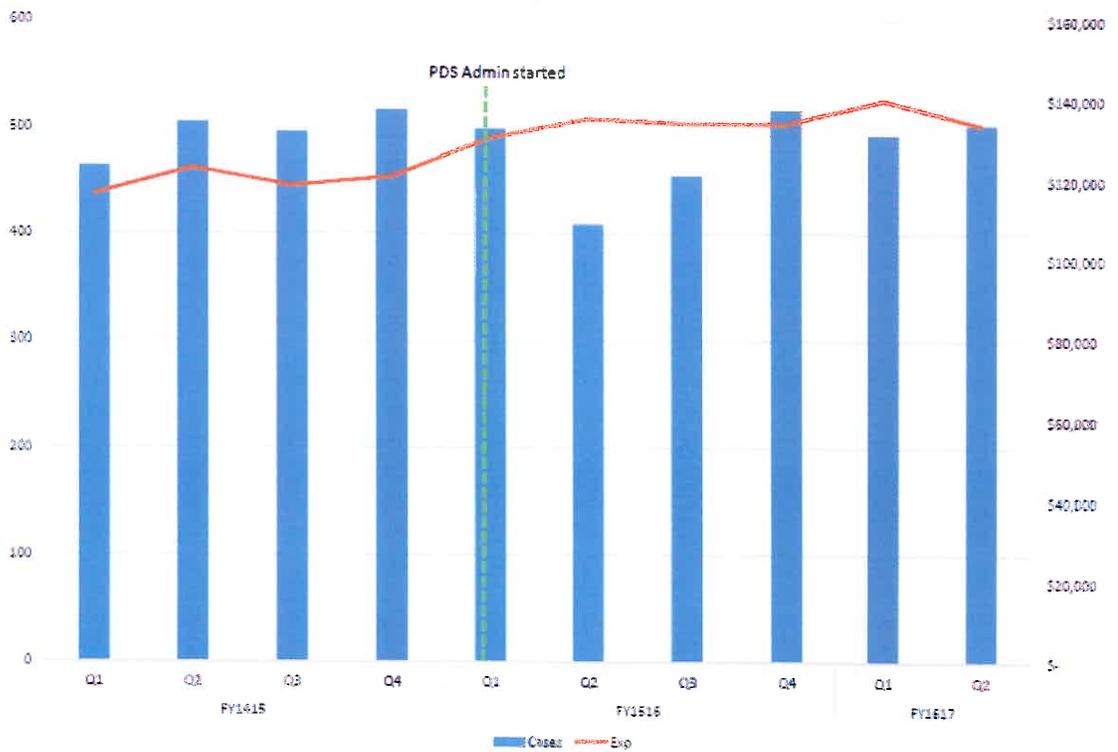
Revenue	FY2015		FY2015		FY2016		FY2016		FY2017	
	Qtr1	Qtr2	Qtr3	Qtr4	Qtr1	Qtr2	Qtr3	Qtr4	Qtr1	Qtr2
	(277,393.64)	(277,393.64)	(221,312.53)	(486,722.06)	(92,469.91)	(412,916.53)	(225,824.53)	(442,308.37)	(322,429.20)	(338,183.00)



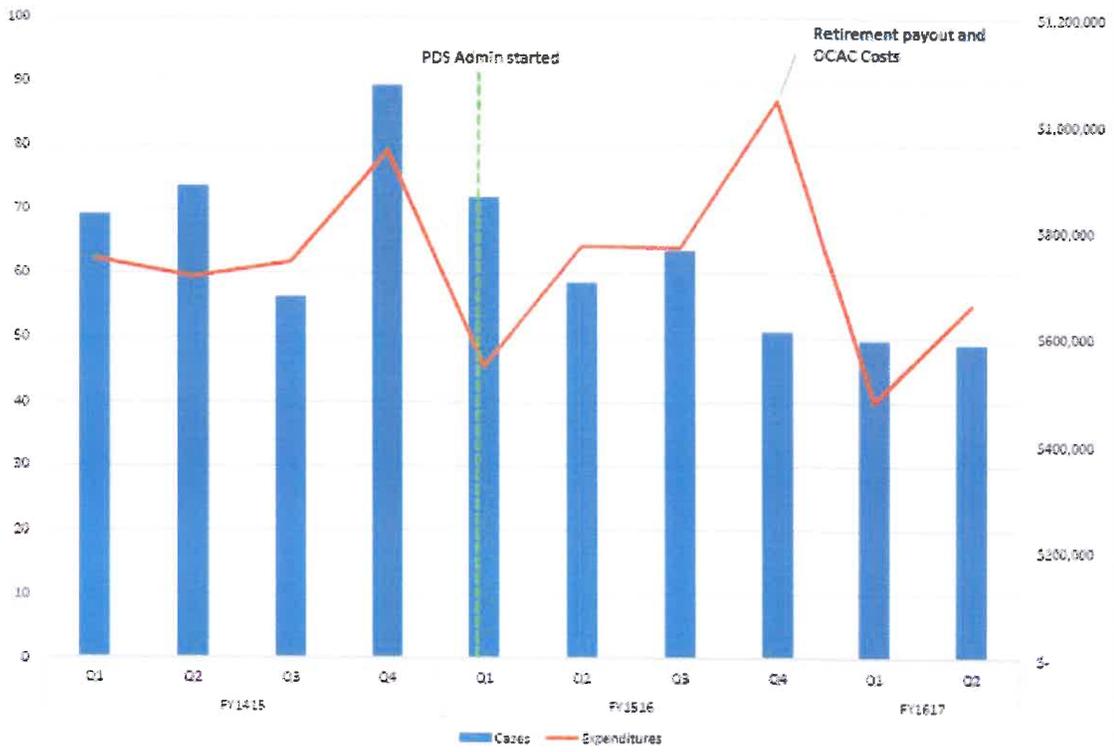
PDS Delinquency Cases Appointed and Expenditures



PDS Title 36 Cases Appointed and Expenditures



PDS Appellate Cases Appointed and Expenditures



PDS Misdemeanor Cases Appointed and Expenditures

