[ms-0398.027,001.003]

1990-91 BUDGET REQUEST

DEPARTMENT: PUBLIC DEFENDER — DEPARTMENT #: 2950

PROGRAM: Indigent Defense — PROGRAM #: 13023

Index of Items in this Program

1 Work Load Increases

2 Additional Support Staff

3 Juvenile Dependency

4 Mental Health

901 Salary Increases and Board Approved Changes

1990-91 BUDGET REQUEST

DEPARTMENT: PUBLIC DEFENDER — DEPARTMENT #: 2950

PROGRAM: Indigent Defense — PROGRAM #: 13023

TITLE: Work Load Increases

DEPARTMENT PRIORITY #: 1 — CATEGORY: Budget Change Request

Object	Account	Staff Years	Expense Change	Revenue Change	Net Cost
1000	Salaries & Benefits	35.00	$1,538,926		$1,538,926
2000	Services & Supplies		165,050		165,050
3000	Other Charges				
4000	Fixed Assets		178,845		178,845
4800	Vehicles & Communication				
5000	Reimbursements				
6000	Operating Transfers				
9000	Revenue			$(46,168)	(46,168)
	TOTALS	35.00	$1,882,821	$(46,168)	$1,836,653

Staff Years: 35.00

Justification: A total of 14 attorneys are necessary to provide for increased caseloads in felony and misdemeanor cases. According to the Bureau of Criminal Statistics and Special Services of the Attorney General's Office and the F.B.I. Crime Index, crime will continue to increase in Fiscal Year 90-91. A total of 4 investigators are required to support the attorney increases. A total of 17 legal secretaries are required to provide legal support to a staff of 180 attorneys. Currently there are only two Legal Secretary II's available to provide the necessary full range of secretarial services such as legal work associated with research and litigation, composing and preparing documents for the courts. If the attorney and support staff are not approved, the County will be required by the courts to retain contract attorneys at a higher cost.

It should be noted that the 1991 request does not include any staff that will be necessary should the Crime Victims Justice Reform Act Referendum be passed by the voters in 1990. Under this act, the Public Defender attorneys would not be able to double or triple set trials in anticipation of the case settling before trial. If so, the Public Defender's felony attorneys would, at a minimum, have to be doubled from 98 attorneys to 196 attorneys. The passage of this referendum will cost the County an estimated $10,258,000 annually.

1990-91 BUDGET REQUEST

DEPARTMENT: PUBLIC DEFENDER — DEPARTMENT #: 2950

PROGRAM: Indigent Defense — PROGRAM #: 13023

TITLE: Additional Support Staff

DEPARTMENT PRIORITY #: 2 — CATEGORY: Budget Change Request

Object	Account	Staff Years	Expense Change	Revenue Change	Net Cost
1000	Salaries & Benefits	7.00	$195,185		$195,185
2000	Services & Supplies		3,000		3,000
3000	Other Charges				
4000	Fixed Assets		6,670		6,670
4800	Vehicles & Communication				
5000	Reimbursements				
6000	Operating Transfers				
9000	Revenue				
	TOTALS	7.00	$204,855		$204,855

Staff Years: 7.00

Justification: We are requesting 4.00 Interpreter Clerk positions to provide translation services to support Public Defender attorneys in court for clients or witnesses who cannot speak or understand english. A Departmental Computer Specialist II position is required to assist in the installation and operation of the personal computer local area network (LAN) which includes workstations at the Public Defender's Office and the Department of Alternate Defense. An Administrative Secretary II is required to back-up the Director's secretary and to provide needed support to the Assistant Public Defender. An Administrative Assistant II is required to assist in the performance of a variety of personnel related administrative responsibilities including recruitment, workers' compensation, employee recognition, suggestion awards, and volunteer coordination.

Reclasses requested include an Associate Accountant to Senior Accountant and an Accounting Technician to Junior Accountant for the purpose of establishing and installing internal and external accounting systems for an evolving department that must integrate into the Comprehensive Justice System.

1990-91 BUDGET REQUEST

DEPARTMENT: PUBLIC DEFENDER — DEPARTMENT #: 2950

PROGRAM: Indigent Defense — PROGRAM #: 13023

TITLE: Juvenile Dependency

DEPARTMENT PRIORITY #: 3 — CATEGORY: Budget Change Request

Object	Account	Staff Years	Expense Change	Revenue Change	Net Cost
1000	Salaries & Benefits	13.00	$632,564		$632,564
2000	Services & Supplies		67,650		67,650
3000	Other Charges		8,380		8,380
4000	Fixed Assets				
4800	Vehicles & Communication				
5000	Reimbursements				
6000	Operating Transfers				
9000	Revenue			$(25,380)	(25,380)
	TOTALS	13.00	$708,594	$(25,380)	$683,214

Staff Years: 13.00

Justification: The Juvenile Division of the Superior Court has indicated to the Public Defender that they will assign all the Dependency cases to Public Defender attorneys as long as a Public Defender attorney is available.

Currently the Public Defender has only 4 attorneys who perform Juvenile Dependency cases. The addition of these 6 attorneys and the support staff will allow an additional 1,200 cases per year to be assigned to the Public Defender. It is conservatively estimated that the Public Defender can save a minimum of $250 in costs per case when compared to the cost of a private attorney creating an estimated annual savings of $300,000. If no Public Defender attorney is available to take a Juvenile Dependency case, the court has no alternative but to assign the case to a private attorney at a higher cost.

1990-91 BUDGET REQUEST

DEPARTMENT: PUBLIC DEFENDER — DEPARTMENT #: 2950

PROGRAM: Indigent Defense — PROGRAM #: 13023

TITLE: Mental Health

DEPARTMENT PRIORITY #: 4 — CATEGORY: Budget Change Request

Object	Account	Staff Years	Expense Change	Revenue Change	Net Cost
1000	Salaries & Benefits	2.00	$130,442		$130,442
2000	Services & Supplies		7,450		7,450
3000	Other Charges		1,120		1,120
4000	Fixed Assets				
4800	Vehicles & Communication				
5000	Reimbursements				
6000	Operating Transfers				
9000	Revenue			$(3,900)	(3,900)
	TOTALS	2.00	$139,012	$(3,900)	$135,112

Staff Years: 2.00

Justification: There has been a change in the Welfare and Institution Code which will require additional attorney staff. In Riese v. St. Mary's Hospital, 209 CA 3d. 1303, the courts have ruled that if a patient refuses his/her medicine, he/she must have a hearing to determine competency. The hearing must be held within two days of notification at the hospital or nursing home and requires that the attorney visit his client prior to the set hearing (two visits). If the Public Defender is not available to represent this individual, a contract attorney will be appointed at a greater public cost.

1990-91 BUDGET REQUEST

DEPARTMENT: PUBLIC DEFENDER — DEPARTMENT #: 2950

PROGRAM: Indigent Defense — PROGRAM #: 13023

TITLE: Salary Increases and Board Approved Changes

DEPARTMENT PRIORITY #: 901 — CATEGORY: Baseline Budget Request

Object	Account	Staff Years	Expense Change	Revenue Change	Net Cost
1000	Salaries & Benefits	1.00	$1,614,854		$1,614,854
2000	Services & Supplies		1,000		1,000
3000	Other Charges				
4000	Fixed Assets				
4800	Vehicles & Communication				
5000	Reimbursements				
6000	Operating Transfers				
9000	Revenue			$(62,770)	(62,770)
	TOTALS	1.00	$1,615,854	$(62,770)	$1,553,084

Staff Years: 1.00

Justification: This is the cost of negotiated salary settlement and the Board of Supervisors' approval of establishment of a Drug Court. Of the $1,615,854 increase, $1,549,633 is salary settlement, $65,221 is 1.00 Deputy Public Defender III salary, and $1,000 is Services and Supplies support. The additional attorney position and support costs for the Drug Court were approved by the Board of Supervisors on November 7, 1989 (29).