

Annual Performance Report

November 01, 2018



Office of the State Public Defender

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Colorado State Public Defender

Performance Evaluation

General Description

Mission

The mission of the Office of the State Public Defender is to defend and protect the rights, liberties, and dignity of those accused of crimes who cannot afford to retain counsel. We do so by providing constitutionally and statutorily mandated representation that is effective, zealous, inspired and compassionate.

OSPD Enabling Legislation. The general assembly hereby declares that the state public defender at all times shall serve his clients independently of any political considerations or private interest, provide legal services to indigent persons accused of crime that are commensurate with those available to nonindigents, and conduct the office in accordance with the Colorado rules of professional conduct and with the American bar association standards relating to the administration of criminal justice, the defense function. 21-1-101(1) C.R.S.

Vision

The Office of the State Public Defender's vision is to develop, maintain and support our passionate and dedicated team so that they can provide the best possible quality of criminal defense representation for each and every one of our clients.

Description

The Office of the State Public Defender (OSPD) is a single purpose program that is devoted to providing reasonable and effective criminal defense representation to indigent persons charged with crimes except where there is a conflict of interest. Our clients are indigent people who are faced with the possibility of incarceration, who are unable to afford private counsel and without counsel would otherwise be denied their constitutional right to representation throughout the criminal proceedings. A critical element in meeting these requirements is the need to maintain the attorney-client relationship. Attorneys, investigators and legal support staff are necessary to provide effective representation of counsel as mandated by the federal and state constitutions, Colorado Revised Statutes, Colorado Court Rules, American Bar Association standards, and the Colorado Rules of Professional Conduct. The OSPD system is the most efficient means of meeting these requirements.

The OSPD is an independent agency within the Judicial Branch of Colorado state government. The Courts appoint the OSPD when a defendant qualifies for public defender services pursuant to applicable case law and Chief Justice Directives.

To support the OSPD in the representation of its cases, in FY2018-19, the OSPD was appropriated \$97,453,793 and approximately 872 FTE. The FTE consist of 526 attorneys; 174 investigators, paralegals and social workers; 131 administrative assistants and 41 centralized management and support positions.

Priorities

In keeping with the Office's mission and vision, we have developed the following goals, strategies and measures.

Goals:

1. Hire and retain a sufficient number of high quality staff to effectively manage the assigned caseload.
2. Provide a high quality and a sufficient quantity of staff development, training, new technology and other resources to adapt our response to the ever-changing criminal justice system so that our legal services are commensurate with those available for non-indigent clients.
3. Provide effective legal representation in both trial and appellate cases.

Strategies:

1. Hire a sufficient number of high quality staff and retain an adequate level of experienced staff in order to effectively manage the assigned caseload.
2. Track and analyze trends in caseloads and adjust staffing levels.
3. Provide training to address the changing legal climate.
4. Continually evaluate administrative processes and organizational infrastructure needs such as office space, technology and staffing.
5. Work all cases as efficiently as possible, while retaining a high quality of effective and reasonable representation.

Performance Measures

		FY 16-17 (actual)	FY 17-18 (actual)	FY 18-19 (projected)	FY 19-20 (projected)	FY 20-21 (projected)
MEASURE 1:		Target	137,652	141,907	148,664	153,994
Number of new trial court cases.		Actual	137,777	143,552		
MEASURE 2:		Target	173,612	181,112	189,075	195,295
Number of active trial court cases.		Actual	175,873	183,078		
MEASURE 3:		Target	100%	100%	100%	100%
Percent of trial court attorney staff allocated vs. total required for closed trial court cases.		Actual	83%	80%		
MEASURE 4:		Target	500	475	485	485
Number of attorney applications received.		Actual	483	521		
MEASURE 5:		Target	100%	100%	100%	100%
Percent of total attorney staff allocated vs. total required for closed trial court cases and appellate cases.		Actual	83%	81%		
MEASURE 6:		Target	12%	12%	12%	12%
Annual rates of attrition:						
Attorneys	Actual	14%	18%			
Investigators	Actual	12%	8%			
Administrative Assistants	Actual	17%	24%			
Total All Employees	Actual	13%	16%			

		FY 16-17 (actual)	FY 17-18 (actual)	FY 18-19 (projected)	FY 19-20 (projected)	FY 20-21 (projected)
MEASURE 7: Percent of experienced, fully capable staff (journey level or higher):	Target	70%	70%	70%	70%	70%
Attorneys	Actual	46%	43%			
Investigators	Actual	55%	49%			
Legal Assistants	Actual	48%	43%			
Total All Employees	Actual	49%	46%			
MEASURE 8: Percent compliance with minimum standards for total staffing requirements.	Target	100%	100%	100%	100%	100%
	Actual	82%	81%			
MEASURE 9: Maintain established standard percentages for reasonable staff supervision, management and development.	Target	12%	12%	12%	12%	12%
	Actual	8%	11%			
MEASURE 10: Number of new appellate cases.	Target	558	535	528	534	539
	Actual	525	523			
MEASURE 11: Number of active appellate cases.	Target	2,229	2,001	1,887	1,870	1,827
	Actual	2,196	1,989			
MEASURE 12: Percent of appellate attorney staff allocated vs. total required for appellate cases awaiting filing of initial brief.	Target	100%	100%	100%	100%	100%
	Actual	83%	85%			
MEASURE 13: Number of trial court cases closed.	Target	134,266	140,395	145,909	150,461	155,183
	Actual	136,321	141,511			
MEASURE 14: Days of training provided.	Target	130	130	133	133	133
	Actual	179	135			
MEASURE 15: Number of CLE credits provided to all attorneys.	Target	15	15	15	15	15
	Actual	15	15			
MEASURE 16: Hours of ethics training provided, focusing on Colorado criminal law.	Target	3	3	3	3	3
	Actual	3	4			
MEASURE 17: Number of administrative processes and organizational infrastructure evaluations performed.	Target	15	15	15	15	15
	Actual	14	15			
MEASURE 18: Number of appellate cases for which an Opening Brief has been filed.	Target	486	468	451	451	451
	Actual	459	421			
MEASURE 19: Number of backlogged appellate cases.	Target	563	531	486	438	393
	Actual	587	539			

The OSPD's Performance Plan dated July 01, 2018 can be viewed on our website at <http://www.coloradodefenders.us/>.