

Annual Performance Report

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Office of the State Public Defender

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Colorado State Public Defender

Performance Evaluation

General Description

Mission

The Office of the Public Defender's mission is to protect and defend 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. Section 21-1-101(1), C.R.S.

Vision

It is OSPD's vision that every client served receives excellent legal representation through the delivery of high-quality legal services and compassionate support from a team of dedicated Public Defenders.

Description

The Office of the State Public Defender (OSPD) is a single purpose program devoted to providing effective criminal defense representation to indigent people charged with crimes unless there is a conflict of interest. Our clients are indigent people who, faced with the possibility of incarceration, cannot afford private counsel and without counsel would otherwise be denied their constitutional right to representation throughout the criminal proceedings. Attorneys, investigators, and legal support staff are necessary to effectively represent clients 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 person qualifies for public defender services pursuant to statute, applicable case law, and Chief Justice Directives.

To support the OSPD in the representation of its FY 2025-26 projected caseload, the OSPD was appropriated \$192,835,367 and approximately 1205 FTE. In addition, Senate Bill 25-024, adding judicial officers across the state, appropriated the OSPD \$621,337 and approximately 7 FTE. OSPD's FTE comprises approximately 631 attorneys, 185 investigators, 123 paralegals, 34 social workers, 167 administrative assistants, and 72 centralized management and support positions.

Priorities

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

Goals:

1. Provide high quality attorney services and advocacy in both the trial and appellate courts throughout Colorado for indigent clients.
2. Recruit and retain quality staff to effectively manage the workload in each Public Defender office across the state.
3. Offer excellent staff development, training, technology support, and other resources to adapt to the evolving criminal legal system and ensure our advocacy meets that available to non-indigent individuals, as mandated by our statute.

Strategies:

1. Hire a sufficient number of skilled and committed staff and keep an adequate level of experienced staff 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 keeping a high quality of effective and reasonable representation.

Performance Measures

		FY 23-24	FY 24-25	FY 25-26	FY 26-27	FY 27-28
		(actual)	(actual)	(projected)	(projected)	(projected)
MEASURE 1:	Target	139,085	130,267	134,035	138,056	142,198
Number of new trial court cases.	Actual	126,473	130,131			
MEASURE 2:	Target	190,517	178,660	180,224	185,631	191,200
Number of active trial court cases.	Actual	173,456	174,975			

		FY 23-24	FY 24-25	FY 25-26	FY 26-27	FY 27-28
		(actual)	(actual)	(projected)	(projected)	(projected)
MEASURE 3:	Target	100%	100%	100%	100%	100%
Percent of actual trial court attorney staff vs. total required for closed trial court cases.	Actual	79%	83%			
MEASURE 4:	Target	500	500	500	500	500
Number of attorney applications received.	Actual	463	531			
MEASURE 5:	Target	100%	100%	100%	100%	100%
Percent of actual total attorney staff vs. total required for closed trial court cases and appellate cases.	Actual	77%	81%			
MEASURE 6:	Target	12%	12%	12%	12%	12%
Annual rates of attrition:						
Attorneys	Actual	12%	15%			
Investigators	Actual	2%	3%			
Paralegals	Actual	15%	12%			
Administrative Assistants	Actual	15%	13%			
Total All Employees	Actual	12%	12%			
MEASURE 7:	Target	70%	70%	70%	70%	70%
Percent of experienced, fully capable staff (journey level or higher):						
Attorneys	Actual	41%	42%			
Investigators	Actual	63%	61%			
Paralegals	Actual	21%	21%			
Administrative Assistants	Actual	32%	34%			
Total All Employees	Actual	42%	42%			
MEASURE 8:	Target	100%	100%	100%	100%	100%
Percent compliance with minimum standards for total staffing requirements.	Actual	81%	82%			
MEASURE 9:	Target	12%	12%	12%	12%	12%
Maintain established standard percentages for reasonable staff supervision, management and development.	Actual	9%	9%			
MEASURE 10:	Target	495	497	511	527	543
Number of new appellate cases.	Actual	460	456			
MEASURE 11:	Target	1,596	1,669	1,668	1,625	1,604
Number of active appellate cases.	Actual	1,568	1,670			
MEASURE 12:	Target	100%	100%	100%	100%	100%
Percent of actual appellate attorney staff vs. total required for appellate cases awaiting filing of initial brief.	Actual	61%	60%			

		FY 23-24	FY 24-25	FY 25-26	FY 26-27	FY 27-28
		(actual)	(actual)	(projected)	(projected)	(projected)
MEASURE 13:	Target	138,362	129,020	132,564	136,541	140,637
Number of trial court cases closed.	Actual	125,263	128,704			
MEASURE 14:	Target	267	314	327	327	327
Days of training provided.	Actual	291	344			
MEASURE 15:	Target	15	20	20	20	20
Number of CLE credits provided to all attorneys.	Actual	36	23			
MEASURE 16:	Target	3	3	3	3	3
Hours of ethics training provided, focusing on Colorado criminal law .	Actual	3	3			
MEASURE 17:	Target	15	15	15	15	15
Number of administrative processes and organizational infrastructure evaluations performed.	Actual	17	18			
MEASURE 18:	Target	378	358	355	355	355
Number of appellate cases for which an Opening Brief has been filed.	Actual	293	354			
MEASURE 19:	Target	324	589	574	584	605
Number of backlogged appellate cases.	Actual	603	585			