

Performance Plan

July 01, 2026



Office of the State Public Defender

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Colorado State Public Defender

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Strategic Component

Mission

The Office of the Public Defender's (OSPD) 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.

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.

Statutory Authority

Statutory authority and Constitutional Authority form the basis of Office of State Public Defender's work.

C.R.S. § 21-1-101(1) demonstrates the need for the public defender to be **independent of political considerations, provide legal services to indigent people**, and states in part:

"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."

C.R.S. § 21-1-103 mandates that the state public defender shall represent each indigent person who is arrested for or charged with a felony, a misdemeanor when the charged offense includes a possible jail sentence, juveniles upon who a delinquency petition is filed or who are restrained by court order, process, or otherwise, person who are held in any institution against their will by process or otherwise for treatment of disease or disorder (meaning people who have been found not guilty by reason of insanity) when the person applies for a public defender or when appointed by the court.

History

In 1963, the United States Supreme Court decided *Gideon v. Wainwright*, 372 U.S. 335 (1963), ensuring the indigent accused the right to representation of counsel in criminal cases. That same year, the Colorado General Assembly passed the Colorado Defender Act in response to the *Gideon* decision. This Act authorized Colorado counties to either establish a public defender office or remain under the previous ad hoc system of appointing counsel for indigent citizens accused of criminal offenses. Four county public defender offices were established under the Act in Denver,

Brighton, Pueblo and Durango.

In 1969, the State Legislature passed the Administrative Reorganization Act. Pursuant to this act, the State began to oversee the court system, which assumed responsibility for the appointment and funding of counsel for indigent people. The Office of the State Public Defender was created by statute and became an independent state agency in 1970.

Description

The Office of the State Public Defender (OSPD) is a single purpose program that is devoted to providing effective criminal defense representation to indigent persons charged with crimes except where there is a conflict of interest. Our clients are indigent people who, faced with the possibility of incarceration, are unable to 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 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 statute, applicable case law, and Chief Justice Directives. Megan A. Ring is the current Colorado State Public Defender and was appointed in 2018.

OSPD represents clients handling cases at the trial court level and the appellate court level. The OSPD maintains 21 regional trial offices which cover Colorado's 23 judicial districts and 64 counties. The OSPD appellate office handles statewide indigent criminal cases heard at the Court of Appeals and the Supreme Court. The staff in these offices are entirely devoted to representing clients in cases as assigned by the courts. System-wide administrative and support functions for these offices are handled centrally through the State Administrative Office in Denver.

The State Administrative Office houses the leadership team for the system. OSPD's mission and performance expectations are guided and monitored by this leadership team. The office coordinates all support functions to assist our regional trial offices and the Appellate Division in providing competent and zealous legal services to our clients. The administrative functions delivered by the administrative office include:

- Program direction, analysis and planning, including statistical compilation and development.
- Workforce development, training personnel, policy, compensation analysis, and practice development.
- Providing guidance to trial office teams in complex cases, and statewide litigation strategies.
- Facilitating and fostering a culture of DEIB in all offices throughout the state.
- Providing and identifying resources to support employees in enhancing long-term sustainability and job satisfaction.
- Payroll and benefits coordination and administration.

- Legislative affairs and statutory analysis.
- Intergovernmental and intragovernmental affairs.
- Budget analysis, development, allocation and management.
- Financial management, analysis tracking, transaction processing, procurement and accounting.
- Facilities, planning development and lease negotiation.
- Contracts and grants management.
- Delivery of end-user technical support, help desk services, hardware/software deployment, and issue resolution.
- Planning, development, implementation, and ongoing support of the agency's information technology systems and services including applications, infrastructure, cybersecurity, and networking.
- Human Resources.

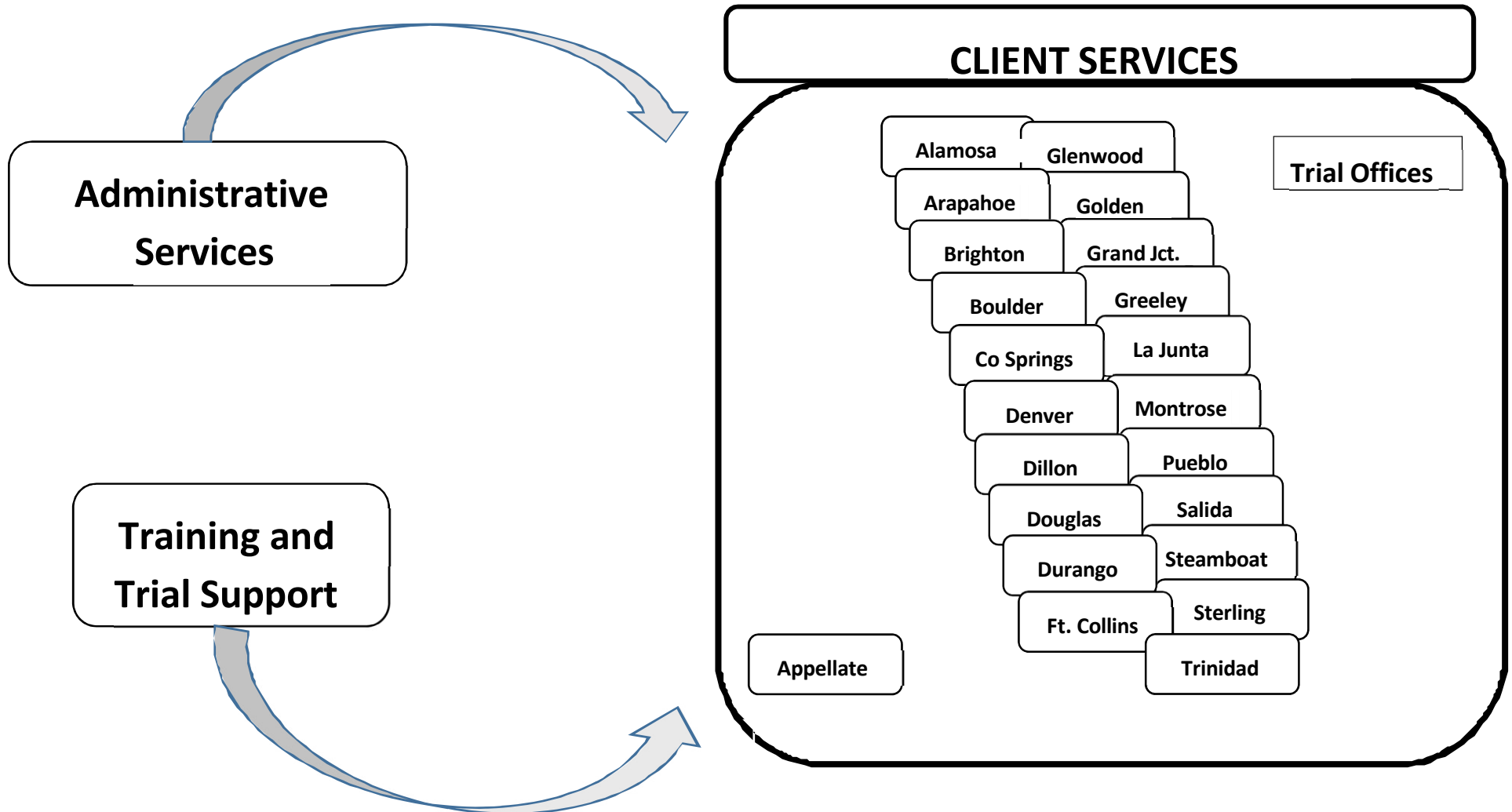
To support the OSPD in the representation of their FY 2026-27 projected caseload, the OSPD was appropriated \$203,325,199 and approximately 1241 FTE. This is comprised of approximately 647 attorneys; 190 investigators; 170 administrative assistants; 126 paralegals; 34 social workers and 74 centralized management and support positions.

Constitutional, Statutory and Other Authority

Constitutional, statutory and other authority for the OSPD system and its work is established pursuant to:

- U.S. Const. amend. VI;
- Colo. Const. art. II, § 16;
- C.R.S. §§ 21-1-101 to 21-1-107;
- Chief Justice Directive 04-04;
- ABA Criminal Justice Standards;
- Colo. Rules of Professional Conduct (Colo. RPC);
- *Gideon v. Wainwright*, 372 U.S. 335 (1963);
- *Alabama v. Shelton*, 535 U.S. 654 (2002);
- *Rothgery v. Gillespie County*, 554 U.S. 191 (2008);
- *Nikander v. District Court*, 711 P.2d 1260 (Colo. 1986);
- *Allen v. People*, 157 Colo. 582, 404 P.2d 266 (1965);
- *In Re Gault*, 387 U.S. 1 (1967); and
- *Powell v. Alabama*, 287 U.S. 45 (1932)
- *Rothgery v. Gillespie County, Tex.* 554 U.S. (191) (2008).

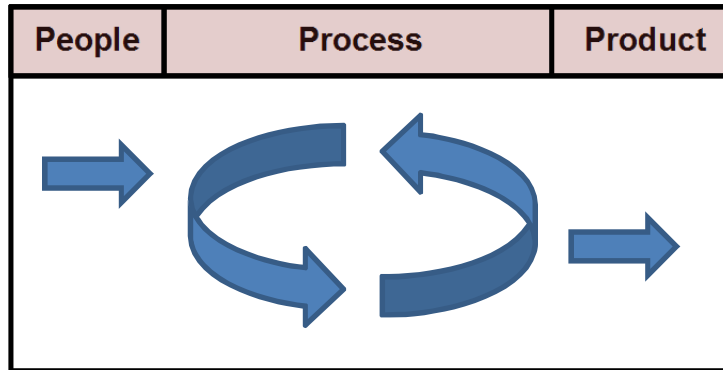
COLORADO STATE PUBLIC DEFENDER



Operational Component/Processes

Goals, Strategies and Measures

In order to achieve our mission of providing high-quality, effective criminal defense representation for each of our clients, the OSPD ensures that our goals, strategies and measures support our people, our process and the end product of client representation.



To this end, we have developed three overarching goals, five strategies and nineteen measures, all focused on improving service to our clients. We continue to analyze and further refine the concepts included in this document throughout the year using a variety of methods.

Our goals, strategies and measures all tie directly to our vision and our mission. Furthermore, as part of our organizational infrastructure planning, these components are continually reviewed and further refined.

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.

Measures:

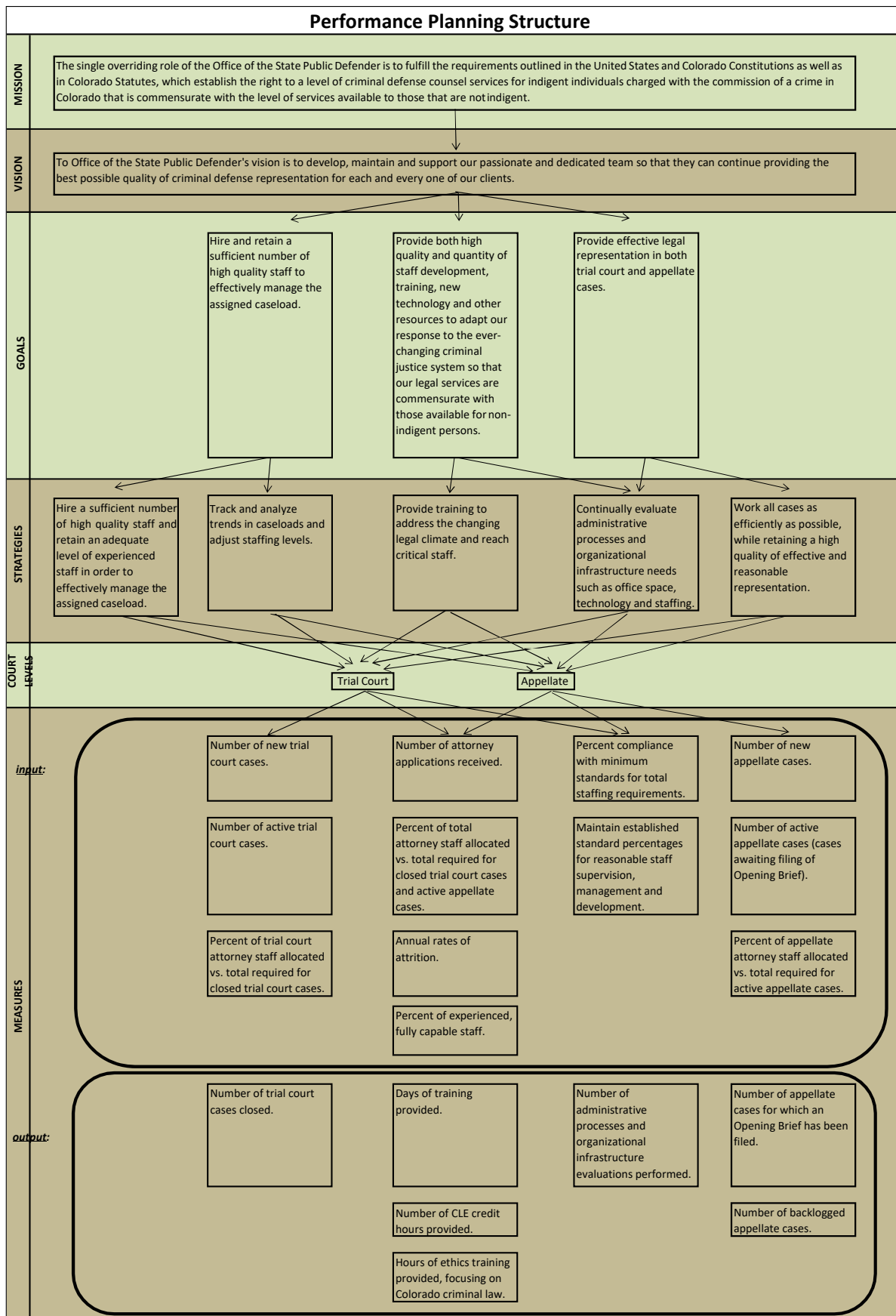
Input

1. Number of new trial court cases.
2. Number of active trial court cases.
3. Percent of trial court attorney staff allocated vs. total required for closed trial court cases.
4. Number of attorney applications received.
5. Percent of total attorney staff allocated versus total required for closed trial court cases and active appellate cases.
6. Annual rates of attrition.
7. Percent of experienced, fully capable staff.
8. Percent compliance with minimum standards for total staffing requirements.
9. Established standard percentages for reasonable staff supervision, management and development.
10. Number of new appellate cases.
11. Number of active appellate cases (cases awaiting filing of Opening Brief).
12. Percent of appellate attorney staff allocated vs. total required for active appellate cases.

Output

13. Number of trial court cases closed.
14. Days of training provided.
15. Number of CLE credit hours provided.
16. Ethics training hours provided, focus on Colorado criminal law.
17. Number of administrative processes and organizational infrastructure evaluations performed.
18. Number of appellate cases for which an Opening Brief has been filed.
19. Number of backlogged appellate cases.

To see a pictorial representation of the relationships among our mission, vision, goals, strategies and measures, see *Performance Planning Structure* on page 7.



Performance Evaluation

OSPD Trial Office - New & Closed Cases

CASE TYPE	FY24 New Cases	FY25 New Cases	FY25 % Total Cases	FY24 Closed Cases	FY25 Closed Cases	FY25 % Total Cases
Felony 1	190	154	0.1%	207	207	0.2%
Felony 2	616	602	0.5%	583	512	0.4%
Sex Assault Felony 2, 3, 4, 5 or 6	1,466	1,574	1.2%	1,450	1,501	1.2%
Felony 3 or 4 (COV)	3,153	3,021	2.3%	3,003	2,947	2.3%
Felony 3 or 4 (non-COV)	9,229	9,349	7.2%	9,001	9,187	7.1%
Felony 5 or 6	11,946	11,772	9.0%	12,534	12,617	9.8%
DUI Felony 4	664	726	0.6%	659	715	0.6%
Drug Felony 1, 2, 3 or 4	5,186	5,037	3.9%	5,169	5,080	3.9%
Felony Cases	32,450	32,235	24.8%	32,606	32,766	25.5%
Misc. Proceedings	3,088	2,980	2.3%	2,991	2,886	2.2%
Revocations	14,816	14,107	10.8%	15,186	14,602	11.3%
Appeals	41	35	0.0%	42	38	0.0%
Felony Other Proceedings	17,945	17,122	13.2%	18,219	17,526	13.6%
Total Felony	50,395	49,357	37.9%	50,825	50,292	39.1%
Misdemeanor Sex Offense	810	851	0.7%	815	878	0.7%
Misdemeanor 1	19,420	20,763	16.0%	18,773	19,690	15.3%
Misdemeanor 2 or 3	19,230	21,038	16.2%	18,560	20,432	15.9%
Misdemeanor DUI	7,332	8,076	6.2%	6,942	7,492	5.8%
Misdemeanor Traffic/Other	9,570	9,679	7.4%	9,837	9,842	7.6%
Misdemeanor Cases	56,362	60,407	46.4%	54,927	58,334	45.3%
Misc. Proceedings	929	1,073	0.8%	951	1,080	0.8%
Revocations	12,948	13,384	10.3%	12,886	13,085	10.2%
Appeals	109	155	0.1%	90	123	0.1%
Misdemeanor Other Proceedings	13,986	14,612	11.2%	13,927	14,288	11.1%
Total Misdemeanor	70,348	75,019	57.6%	68,854	72,622	56.4%
Juvenile Sex Offense	205	153	0.1%	201	200	0.2%
Juvenile Felony	2,040	1,862	1.4%	2,007	1,883	1.5%
Juvenile Misdemeanor	2,293	2,400	1.8%	2,202	2,371	1.8%
Juvenile Cases	4,538	4,415	3.4%	4,410	4,454	3.5%
Misc. Proceedings	215	214	0.2%	216	239	0.2%
Revocations	972	1,112	0.9%	952	1,083	0.8%
Appeals	5	14	0.0%	6	14	0.0%
Juvenile Other Proceedings	1,192	1,340	1.0%	1,174	1,336	1.0%
Total Juvenile	5,730	5,755	4.4%	5,584	5,790	4.5%
Summary						
Total Cases	93,350	97,057	74.6%	91,943	95,554	74.2%
Total Misc. Proceedings	4,232	4,267	3.3%	4,158	4,205	3.3%
Total Revocations	28,736	28,603	22.0%	29,024	28,770	22.4%
Total Appeals	155	204	0.2%	138	175	0.1%
Total Other Proceedings	33,123	33,074	25.4%	33,320	33,150	25.8%
Grand Total Cases	126,473	130,131	100.0%	125,263	128,704	100.0%

OSPD Trial Office - Active & Outstanding Cases

CASE TYPE	FY24 Active Cases	2025 Active Cases	FY25 % Active Cases	FY24 O/S Cases	FY25 O/S Cases	FY24 % O/S Cases
Felony 1	420	377	0.2%	223	187	0.4%
Felony 2	1,002	958	0.5%	356	412	0.9%
Sex Assault Felony 2, 3, 4, 5 or 6	2,447	2,529	1.4%	955	1,012	2.2%
Felony 3 or 4 (COV)	4,933	4,766	2.7%	1,745	1,669	3.7%
Felony 3 or 4 (non-COV)	13,615	13,570	7.7%	4,221	4,155	9.2%
Felony 5 or 6	16,834	16,352	9.3%	4,580	4,323	9.6%
DUI Felony 4	1,075	1,140	0.6%	414	420	0.9%
Drug Felony 1, 2, 3 or 4	7,147	6,930	3.9%	1,893	1,833	4.1%
Felony Cases	47,473	46,622	26.4%	14,387	14,011	31.1%
Misc. Proceedings	4,156	3,992	2.3%	1,012	1,009	2.2%
Revocations	18,995	18,139	10.3%	4,032	3,907	8.7%
Appeals	70	64	0.0%	29	27	0.1%
Felony Other Proceedings	23,221	22,195	12.6%	5,073	4,943	11.0%
Total Felony	70,694	68,817	39.0%	19,460	18,954	42.1%
Misdemeanor Sex Offense	1,223	1,216	0.7%	365	343	0.8%
Misdemeanor 1	26,396	27,611	15.6%	6,848	7,274	16.1%
Misdemeanor 2 or 3	24,925	26,437	15.0%	5,399	5,335	11.8%
Misdemeanor DUI	11,069	11,648	6.6%	3,572	3,766	8.4%
Misdemeanor Traffic/Other	13,153	12,925	7.3%	3,246	3,350	7.4%
Misdemeanor Cases	76,766	79,837	45.2%	19,430	20,068	44.5%
Misc. Proceedings	1,175	1,267	0.7%	194	209	0.5%
Revocations	16,327	16,484	9.3%	3,100	3,337	7.4%
Appeals	212	270	0.2%	115	128	0.3%
Misdemeanor Other Proceedings	17,714	18,021	10.2%	3,409	3,674	8.2%
Total Misdemeanor	94,480	97,858	55.4%	22,839	23,742	52.7%
Juvenile Sex Offense	410	350	0.2%	197	146	0.3%
Juvenile Felony	2,926	2,757	1.6%	895	841	1.9%
Juvenile Misdemeanor	3,365	3,413	1.9%	1,013	951	2.1%
Juvenile Cases	6,701	6,520	3.7%	2,105	1,938	4.3%
Misc. Proceedings	300	295	0.2%	81	49	0.1%
Revocations	1,275	1,469	0.8%	357	374	0.8%
Appeals	6	16	0.0%	2	3	0.0%
Juvenile Other Proceedings	1,581	1,780	1.0%	440	426	0.9%
Total Juvenile	8,282	8,300	4.7%	2,545	2,364	5.2%
Summary						
Total Cases	130,940	132,979	75.3%	35,922	36,017	79.9%
Total Misc. Proceedings	5,631	5,554	3.1%	1,287	1,267	2.8%
Total Revocations	36,597	36,092	20.4%	7,489	7,618	16.9%
Total Appeals	288	350	0.2%	146	158	0.4%
Total Other Proceedings	42,516	41,996	23.8%	8,922	9,043	20.1%
Grand Total Cases	173,456	176,543	100.0%	44,844	45,060	100.0%

OSPD Trials (Jury & Court)		
	FY24 Trials	FY25 Trials
Felony		
F1	24	38
F2	36	29
F2-F6 Sex	55	54
F3-F4 COV	59	83
F3-F4 Non COV	61	92
F5-F6	76	84
DUI Felony 4	22	26
Drug Felony	15	20
Felony Total	348	426
Misdemeanor		
Misd Sex	16	18
M1	199	234
M2-M3	71	69
Misd DUI	247	264
Traffic/Other	44	63
Misdemeanor Total	577	648
Juvenile		
Juv Sex	8	9
Felony	13	9
Misdemeanor	21	28
Juvenile Total	42	46
Grand Total	967	1120

OSPD Trial Office Conflicts		
	FY24	FY25
New Opened Cases	126,473	130,131
Conflicts		
Co-Defendant	5,631	5,544
Witness	7,139	8,034
Other	708	790
Total	13,478	14,368
<i>% of New Cases</i>	<i>10.7%</i>	<i>11.0%</i>

APPELLATE DIVISION									
FISCAL YEAR	New Appeals	Briefs Filed by PD	Cases Resolved Other Ways	Appeals Closed in Phase 1	Cases awaiting filing of initial brief	Standard Caseload per NLADA	Cases in excess of NLADA standards	Cases Phase 2 (after OB filed)	Total Active Felony Cases
FY 14	573	367	127	495	749	279	470	1000	2341
FY 15	533	422	122	544	738	363	375	985	2282
FY 16	511	486	141	627	622	359	263	1049	2234
FY 17	525	459	101	560	587	351	236	879	2196
FY 18	523	421	150	571	539	351	188	820	1989
FY 19	563	381	118	499	603	368	235	761	1922
FY 20	514	454	133	587	530	368	162	816	1878
FY 21	256	433	66	499	287	308	0	890	1602
FY 22	379	310	57	367	299	273	26	835	1556
FY 23	430	222	56	278	451	215	236	657	1564
FY 24	460	246	62	308	603	229	374	611	1568
FY 25	456	354	66	420	585	283	302	629	1670
FY 26 Est.	454	355	99	454	574	310	264	584	1668
FY 27 Est.	467	355	102	457	584	310	274	539	1625
FY 28 Est.	481	355	105	460	605	310	295	495	1604
FY 29 Est.	495	355	108	463	637	310	327	450	1594

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			
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%			

		FY 23-24	FY 24-25	FY 25-26	FY 26-27	FY 27-28
		(actual)	(actual)	(projected)	(projected)	(projected)
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%			
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			