

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 (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.

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. C.R.S. 21-1-101(1).

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 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.

To support the OSPD in the representation of its FY 2024-25 projected caseload, the OSPD was appropriated \$178,273,311 and approximately 1177 FTE. This is comprised of approximately 621 attorneys, 176 investigators, 117 paralegals, 33 social workers, 160 administrative assistants, and 70 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. 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 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27
		(actual)	(actual)	(projected)	(projected)	(projected)
MEASURE 1:						
	Target	135,034	139,085	130,267	134,175	138,200
Number of new trial court cases.	Actual	125,329	126,473			
MEASURE 2:						
	Target	184,968	190,517	178,660	184,019	189,540
Number of active trial court cases.	Actual	174,489	173,456			
MEASURE 3:						
	Target	100%	100%	100%	100%	100%
Percent of actual trial court attorney staff vs. total required for closed trial court cases.	Actual	77%	79%			

		FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27
		(actual)	(actual)	(projected)	(projected)	(projected)
MEASURE 4:						
	Target	500	500	500	500	500
Number of attorney applications received.	Actual	507	463			
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	76%	77%			
MEASURE 6:						
	Target	12%	12%	12%	12%	12%
Annual rates of attrition:						
Attorneys	Actual	18%	12%			
Investigators	Actual	8%	2%			
Paralegals	Actual	9%	15%			
Administrative Assistants	Actual	19%	15%			
Total All Employees	Actual	16%	12%			
MEASURE 7:						
	Target	70%	70%	70%	70%	70%
Percent of experienced, fully capable staff (journey level or higher):						
Attorneys	Actual	40%	41%			
Investigators	Actual	52%	63%			
Paralegals	Actual	21%	21%			
Administrative Assistants	Actual	30%	32%			
Total All Employees	Actual	39%	42%			
MEASURE 8:						
	Target	100%	100%	100%	100%	100%
Percent compliance with minimum standards for total staffing requirements.	Actual	77%	81%			
MEASURE 9:						
	Target	12%	12%	12%	12%	12%
Maintain established standard percentages for reasonable staff supervision, management and development.	Actual	10%	9%			
MEASURE 10:						
	Target	480	495	497	511	527
Number of new appellate cases.	Actual	430	460			
MEASURE 11:						
	Target	1,629	1,596	1,669	1,670	1,683
Number of active appellate cases.	Actual	1,564	1,568			
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	60%	61%			

		FY 22-23	FY 23-24	FY 24-25	FY 25-26	FY 26-27
		(actual)	(actual)	(projected)	(projected)	(projected)
MEASURE 13:						
	Target	134,333	138,362	129,020	132,890	136,877
Number of trial court cases closed.	Actual	130,856	125,263			
MEASURE 14:						
	Target	193	267	314	314	314
Days of training provided.	Actual	250	291			
MEASURE 15:						
	Target	15	15	20	20	20
Number of CLE credits provided to all attorneys.	Actual	29	36			
MEASURE 16:						
	Target	3	3	3	3	3
Hours of ethics training provided, focusing on Colorado criminal law.	Actual	4	3			
MEASURE 17:						
	Target	15	15	15	15	15
Number of administrative processes and organizational infrastructure evaluations performed.	Actual	15	17			
MEASURE 18:						
	Target	343	378	358	358	358
Number of appellate cases for which an Opening Brief has been filed.	Actual	222	293			
MEASURE 19:						
	Target	324	324	589	629	681
Number of backlogged appellate cases.	Actual	451	561			