Juvenile Report

As required by HB 14-1032

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Office of the State Public Defender

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Pursuant to HB 14-1032, the Office of the State Public Defender is required to report the following juvenile conflict information annually to the Judiciary Committees of the House of Representatives and Senate. Our review of cases for FY 2022-23 has provided the following information.

1. **The number of juvenile delinquency cases for which counsel from the office is appointed.**

   There were 4,961 juvenile delinquency cases for which counsel from the office was appointed.

2. **The number of juvenile cases that involve a conflict of interest.**

   There were 1,102 juvenile cases that involved a conflict of interest.

3. **The process of selecting, training, and supporting attorneys who represent children in juvenile delinquency court.**

   All trial lawyers hired as deputy Colorado State Public Defenders are trained according to our established standards. After spending (on average) at least one year in a county court trial setting, they are eligible for transfer to a juvenile docket in those jurisdictions with sufficient juvenile case filings to support a dedicated juvenile caseload. These spots have become competitive and not everyone who applies for a juvenile caseload is awarded one. Within 90 days of beginning to represent juvenile clients, lawyers are required to attend a core juvenile skills training program presented by the State Administrative Office. This two-day program includes, among other topics, training by mental health professionals about adolescent brain development, adjudicative competency issues specific to juveniles, and other aspects of litigation unique to juveniles. This training is in addition to the juvenile training presented by the local regional offices and other juvenile defender organizations. Beginning in 2015, the OSPD began offering a two-day training annually on the Guidelines established by the Campaign for the Fair Sentencing of Youth regarding children tried as adults and facing life sentences.

   The OSPD has established a juvenile listserv through which juvenile practitioners can communicate and share information relevant to juvenile defense with one another. Our Training Directors organize other juvenile-specific trainings throughout the year. Additionally, the regional offices support their lawyers with in-house trainings and case staffings.

   There is a juvenile-specific training track at our annual Fall Conference. We have juvenile social workers placed in the eight regional offices where juvenile detention facilities are located, who work with our regional offices throughout the state to support our juvenile defenders with their work. Each year, we send juvenile defenders to the National Juvenile Defender Center Annual Leadership Summit, which is the only national gathering of juvenile defenders.

4. **The average length of time attorneys are assigned to juvenile court.**

   There are a large number of attorneys currently assigned to juvenile court who have elected to stay permanently. Although each situation is different, we estimate that attorneys who have not elected to stay permanently in juvenile court typically handle these types of cases for 12-18 months.

5. **The outcome of efforts to reduce juvenile court rotations and increase opportunities for promotional advancement in salaries for attorneys in juvenile court.**

   As early as 2008, the OSPD began appointing juvenile supervisors and attorneys to specific juvenile slots. Between 2008 and 2013, money was not available for promotions for any attorney under the old pay system. Once we began being funded again for salary increases there were no other barriers for promotional advancement in salaries for attorneys in juvenile court.

   Similar to all employees in the OSPD, attorneys assigned to the juvenile courts have opportunity for salary advancement within the job assignment as recognized through step and grade pay (when funded by the General Assembly) awarded based on individual performance and promotional opportunities associated with length of tenure in the system.