

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 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 continue providing 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 Court makes the appointment 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 their cases, in FY2016-17, the OSPD was appropriated \$86,426,501 and approximately 786 FTE. This is comprised of 490 attorneys; 151 investigators, paralegals and social workers (including 8 social workers dedicated to juvenile work); 112 administrative assistants and 33 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 high quality and sufficient quantity of staff development, training, new technology and other resources to adapt our response to the ever-changing landscape and criminal justice atmosphere so that our legal services are commensurate with what is available for non-indigent clients.
3. Provide effective legal representation in both trial court 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 and reach critical staff.
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 14-15 (actual)	FY 15-16 (actual)	FY 16-17 (projected)	FY 17-18 (projected)	FY 18-19 (projected)
MEASURE 1: Number of new trial court cases.	Target	132,270	132,500	137,652	143,430	149,776
	Actual	126,947	132,388			
MEASURE 2: Number of active trial court cases.	Target	159,575	166,589	173,612	179,869	186,617
	Actual	159,814	167,814			
MEASURE 3: Percent of trial court attorney staff allocated vs. total required for closed trial court cases.	Target	100%	100%	100%	100%	100%
	Actual	92.3%	88.1%			
MEASURE 4: Number of attorney applications received.	Target	480	480	500	500	500
	Actual	615	489			
MEASURE 5: Percent of total attorney staff allocated vs. total required for closed trial court cases and active appellate cases.	Target	100%	100%	100%	100%	100%
	Actual	92.2%	88.4%			
MEASURE 6: Annual rates of attrition:	Target	12%	12%	12%	12%	12%
Attorneys	Actual	12%	12%			
Investigators	Actual	8%	6%			
Administrative Assistants	Actual	18%	18%			
Total All Employees	Actual	11%	11%			

		FY 14-15 (actual)	FY 15-16 (actual)	FY 16-17 (projected)	FY 17-18 (projected)	FY 18-19 (projected)
MEASURE 7: Percent of experienced, fully capable staff (journey level or higher):	Target	70%	70%	70%	70%	70%
Attorneys	Actual	41%	45%			
Investigators	Actual	44%	54%			
Legal Assistants	Actual	45%	42%			
Total All Employees	Actual	44%	47%			
MEASURE 8: Percent compliance with minimum standards for total staffing requirements	Target	100%	100%	100%	100%	100%
	Actual	86.2%	83.3%			
MEASURE 9: Maintain established standard percentages for reasonable staff supervision, management and development	Target	12%	12%	12%	12%	12%
	Actual	8.6%	8.3%			
MEASURE 10: Number of new appellate cases.	Target	592	576	558	558	558
	Actual	533	511			
MEASURE 11: Number of active appellate cases.	Target	<i>n/a</i>	2,299	2,229	2,170	2,110
	Actual	2,282	2,234			
MEASURE 12: Percent of appellate attorney staff allocated vs. total required for active appellate cases.	Target	100%	100%	100%	100%	100%
	Actual	91.5%	92.0%			
MEASURE 13: Number of trial court cases closed.	Target	127,879	129,805	134,266	139,142	144,420
	Actual	124,416	129,764			
MEASURE 14: Days of training provided.	Target	106	106	130	130	130
	Actual	162	140			
MEASURE 15: Number of CLE credits provided.	Target	15	15	15	15	15
	Actual	17	30			
MEASURE 16: Hours of ethics training provided, focusing on Colorado criminal law.	Target	3	3	3	3	3
	Actual	3	3			
MEASURE 17: Number of administrative processes and organizational infrastructure evaluations performed.	Target	15	15	15	15	15
	Actual	16	14			
MEASURE 18: Number of appellate cases for which an Opening Brief has been filed.	Target	507	502	486	486	486
	Actual	422	486			
MEASURE 19: Number of backlogged appellate cases.	Target	703	681	563	503	444
	Actual	738	622			

The OSPD's Performance Plan dated July 01, 2016 can be viewed at: <http://www.coloradodefenders.us/wp-content/uploads/2016/07/ospd-smart-act-perf-plan-070116.pdf>