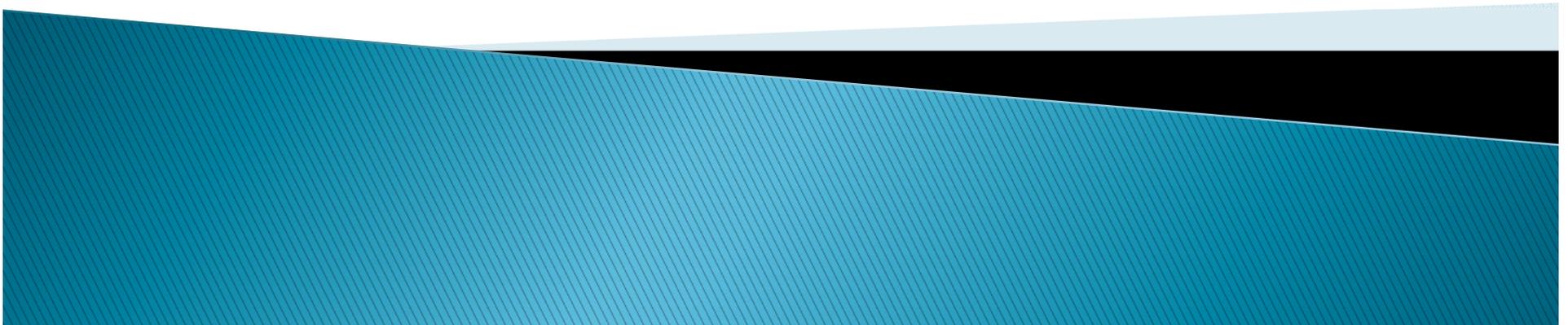


# **COLLIN COUNTY INDIGENT DEFENSE**

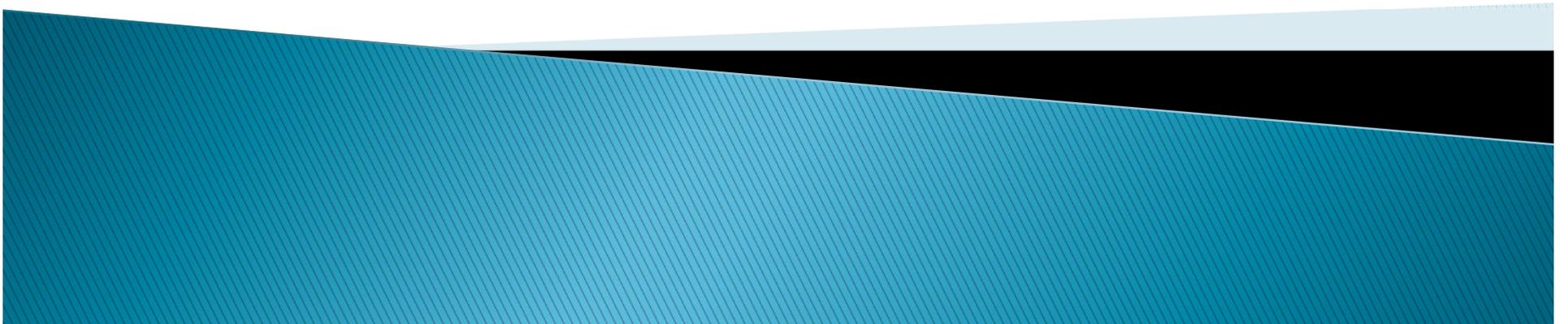


# Outline

- Overview: Indigent Defense System Issues
- Overview Objectives
- System Components
- System Review/Analysis
- Proposal



# System Issues

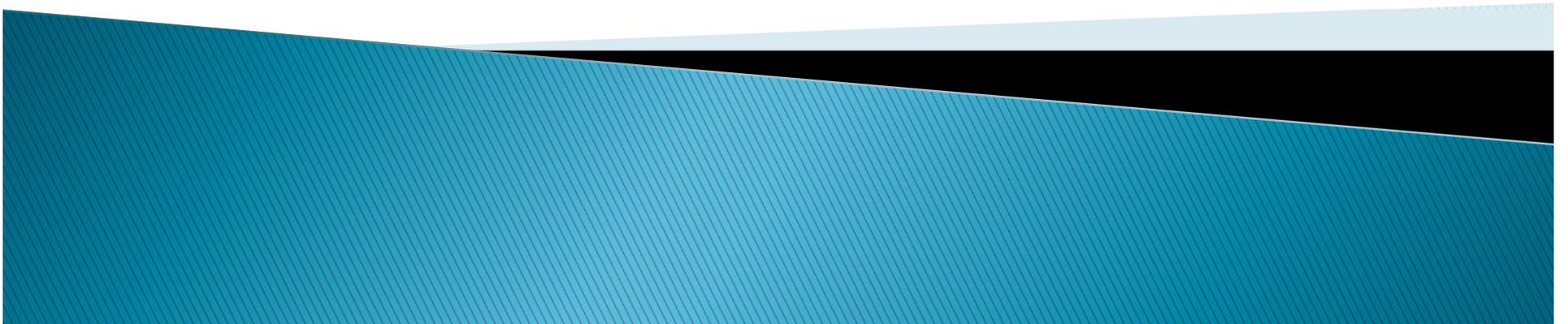


# Overview: Indigent Defense System Issues

- Rising Indigent Defense Cost
- Inefficient System
- No Attorney Monitoring
- Increasing Population
- Inconsistent Payment
- Courts bear cost/time in maintaining appointment lists, screening and managing attorney compensation, managing expert/investigator compensation—high time burden



# Objectives

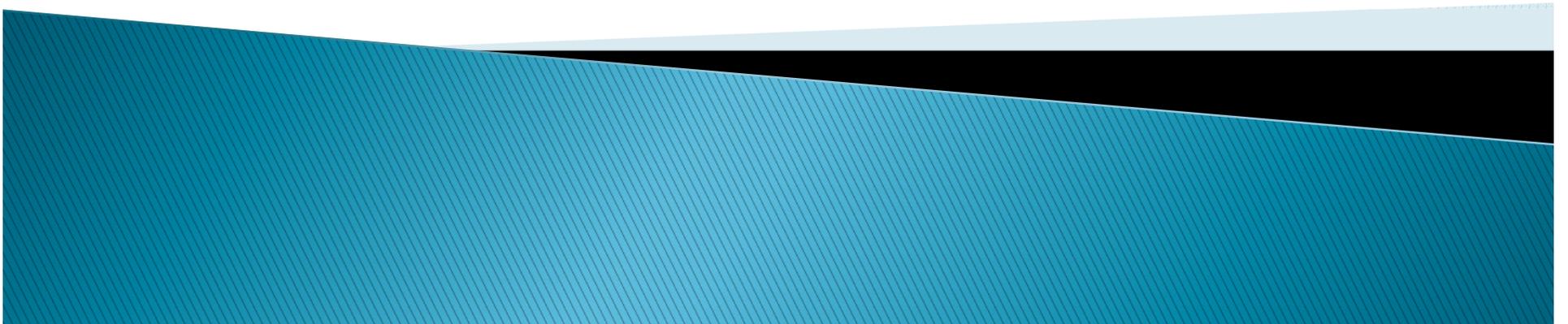


# Objectives

- Control Cost
- Save Time
- Reduce Burden on the Court
- Improve Efficiency
- Provide Systematic Training and Attorney Oversight
- Improve Performance/Enhance Services Provided
- Reduce system costs by effectively meeting objectives



# System Comparison



# System Comparison

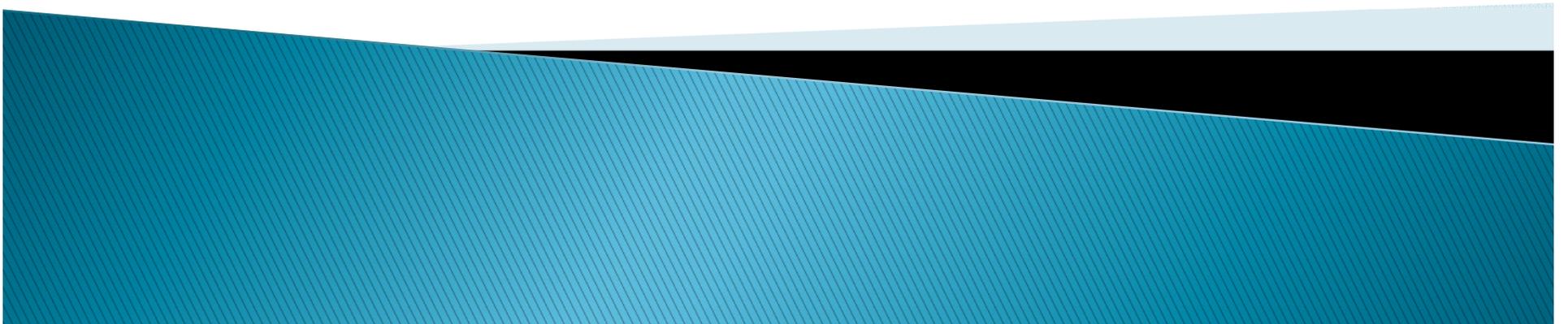
## Four Basic Types of Systems

- Assigned Counsel System-\*current system (wheel)
- Public Defender System
- Contract Defender System
- Managed Assigned Counsel System

\*\*See TIDC presentation



# System Components

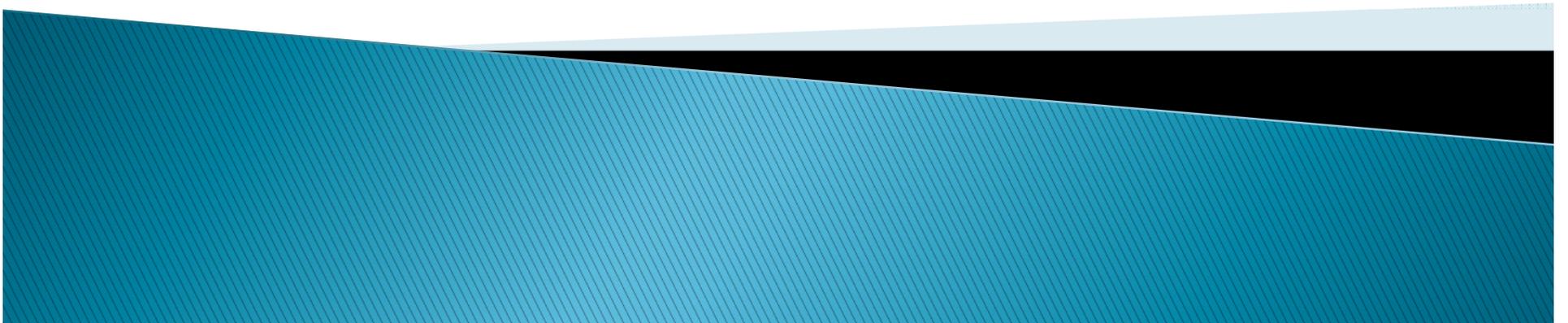


# System Components

- Criminal Cases
- Juvenile Cases
- Mental Health
- CPS
- Appeals



# System Review and Analysis



# Criminal Cases

## Analysis:

- No systematic monitoring of attorneys
- Ongoing issues with attorney applications
- Increasing Judicial Time
- Inconsistent pay application

## Cost Analysis:

- Current System
  - Continued Increased cost
  - Continued Increased Time
- Managed Counsel
  - Demonstrated ability to decrease cost through system efficiencies and oversight.



# Criminal Cases cont.

- Managed Counsel cont.
  - Cost savings applied scenario
- Contract per national/ Texas HB standards
  - Not economically beneficial
  - NAC standards indicates savings in Misd cases
  - Will require secondary system
- Contract per increased caseload
  - Will not meet National Standards, cost savings per analysis, will require secondary system, potentially poor standards of representation.



# Juvenile

## Analysis:

- No systematic monitoring of attorneys
- Ongoing issues with attorney applications
- Increasing Judicial Time
- Inconsistent pay application

## Cost Analysis:

- Current System
  - Continued increase in cost
  - Continued increase in Judicial time
- Managed Assigned Counsel
  - Hypothetical demonstrates potential cost savings through managed oversight



# Juvenile cont.

- Contract per national standards
  - not economically beneficial
- Contract per increased caseload
  - will not meet National Standards, cost savings per analysis, will require secondary system, potentially poor standards of representation.



# Mental Health

## Analysis:

- Trained attorneys are beneficial to program
- Cost savings in across multiple budget categories
- Lower cost per case than current system

## Cost Analysis:

- Managed Counsel
  - Efficiency of Total System
  - Cost effective
- Contract per national standards
  - Not economically beneficial
- Contract per increased caseload
  - Will not meet National Standards, will require secondary system, potentially poor standards of representation.



# CPS/AD-LITEM

## Analysis:

- Small number of cases, significant budget
- Statutory requirement impact-limited control
- Appointments inconsistent with plan
- Varied pay
- Costs incurred due to scheduling
- Time intensive monitoring

## Cost Analysis:

- Current System
  - Continues to involve increased judicial time
  - Continued growth
  - Inconsistent billing



# CPS/AD-LITEM cont.

- Managed Counsel
  - Unknown actual cost
  - Benefit of MAC system
  - Decrease Judicial time
- Contract all types
  - Cost savings per analysis at face value, will require secondary system, potentially poor standards of representation.
  - Does not account for travel and other costs, which are high

Note:

- Judicial efforts to find solutions
- Special set court dates



# APPEALS

Costs for 2015FY

Analysis:

- Not a significant number of cases
- Some repetition
- Minimal budget impact

Cost Analysis:

- Current System-
  - Cost steadily increasing
- Managed Counsel
  - Unknown actual cost
  - Benefits of MAC system for cost reduction
- Contract analysis
  - Not economically beneficial
  - Will require secondary system, potentially poor standards of representation.

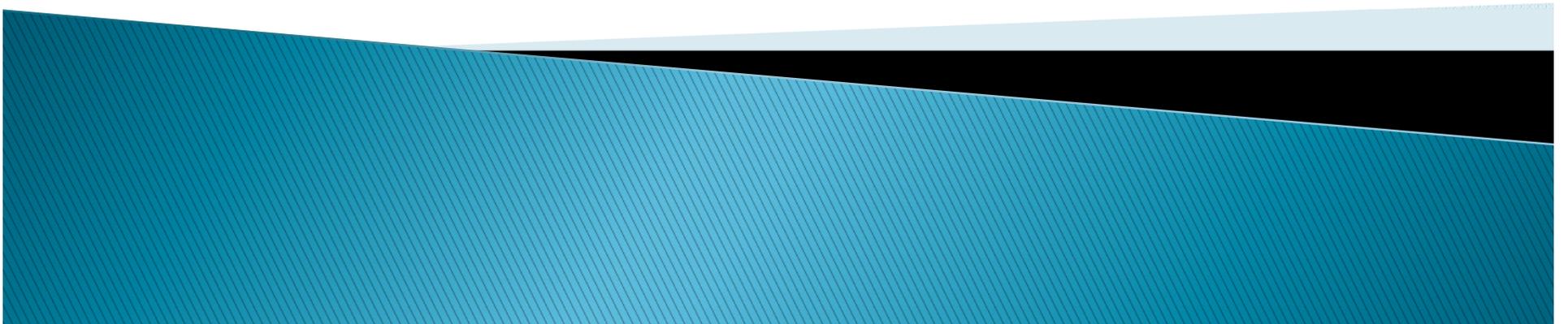


## APPEALS cont.

- Contract analysis
  - Not economically beneficial
  - Will require secondary system, potentially poor standards of representation.



# Proposal



# System Comparison

	Public Defender	Managed Counsel	Current System	Contract
Attorney Training	✓	✓		
Attorney Supervision	✓	✓		
Performance Monitoring	✓	✓		
Caseload Monitoring	✓	✓		
Independence from Judiciary	✓	✓		
Manage Appointments	✓	✓		✓
Manage Expert Compensation	✓	✓		
Manage Attorney Compensation	✓	✓		✓
NO Secondary System Necessary		✓	✓	
Does not significantly grow gov'n't		✓	✓	✓
Reduce Time Burden on Court	✓	✓		✓
Provide Court Updates on Status	✓	✓		✓

# Proposal

## Primary Concerns with Systems

- Public Defender Office
  - Not economically beneficial
- Contract–National Standards
- Contract–Increased Case Assignment
  - Economically beneficial at face value
  - Caution hidden costs i.e. secondary system, poor representation, unaccounted for travel costs in ad litem cases
- Current System
  - Continued growth
  - Economically better option than PD office or contract at National Standards
  - No oversight, monitoring, increased judicial time



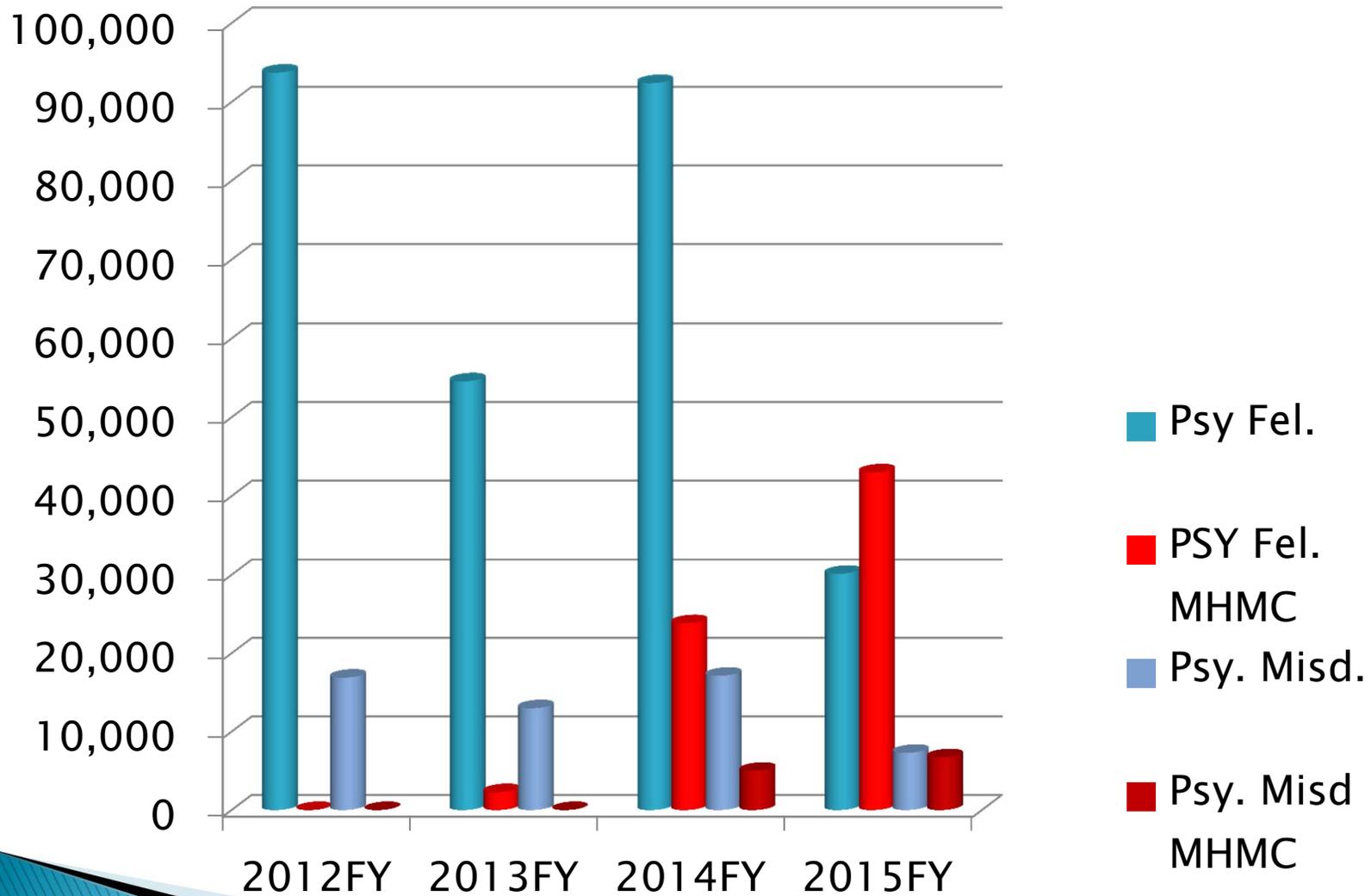
# Proposal cont.

## SYSTEM RECOMENDATION

- Managed Assigned Counsel
  - Demonstrated savings in multiple departments
  - Lower cost per case in criminal matters
  - Attorney monitoring, training
  - Benefit of Increased Efficiency with implementation of MAC system for entire Indigent Defense System
  - Appeals could possibly be cost effectively handled through contracts, there would be a loss of system efficiency.
  - Cost Control
  - Reduced Judicial Time
  - Pay sheet monitoring
  - Performance Monitoring
  - Resource
  - Savings in multiple budget areas



# Psychological Costs



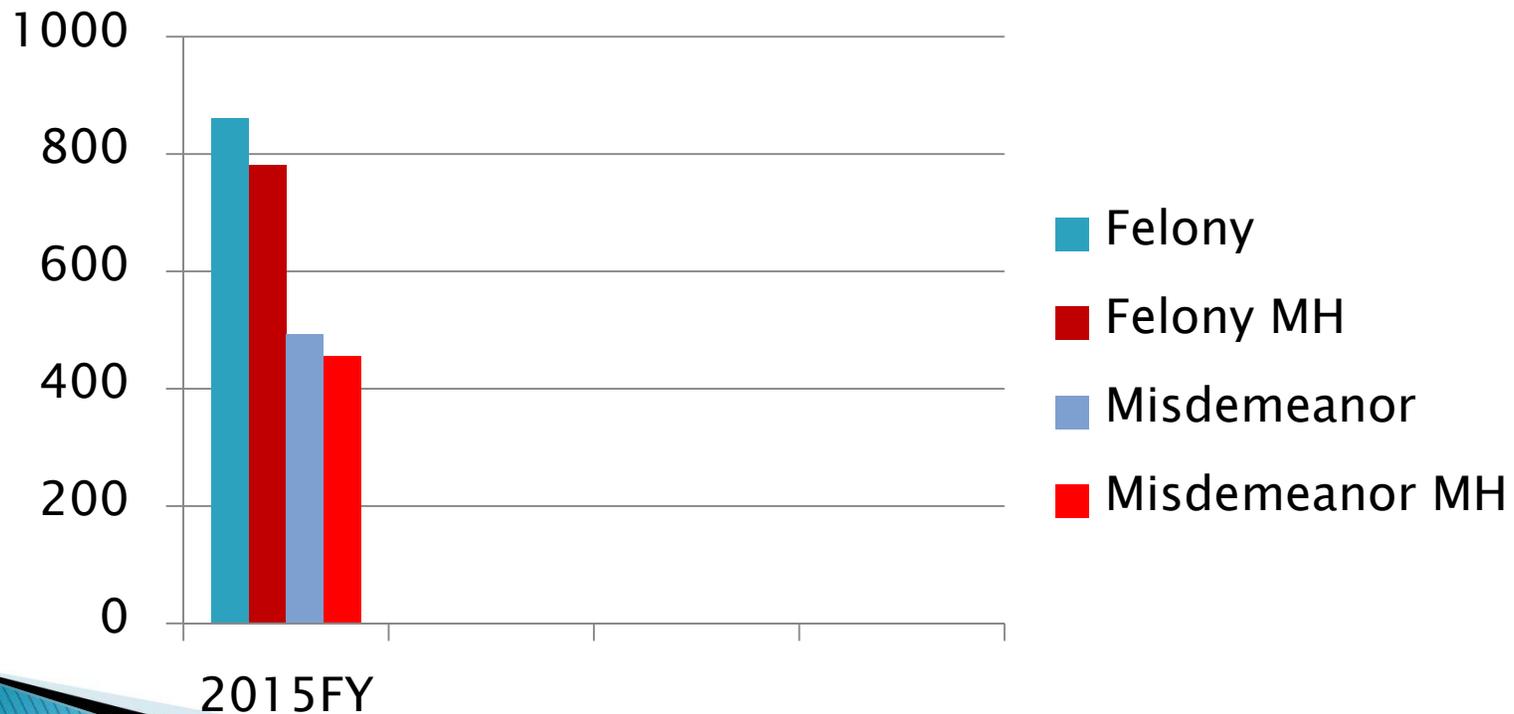
Projected cost \$588,455.00

- Includes Investigator-this will reduce investigative costs already expended
- Includes In appointment clerk- already budgeted within the county clerk budget, change of department
- Scenario (see system comparison) demonstrates savings in felony and misdemeanor cost of \$395,852.43 for those two categories alone
- Cost Savings would also be realized in Judicial time, jail days savings and other system efficiencies

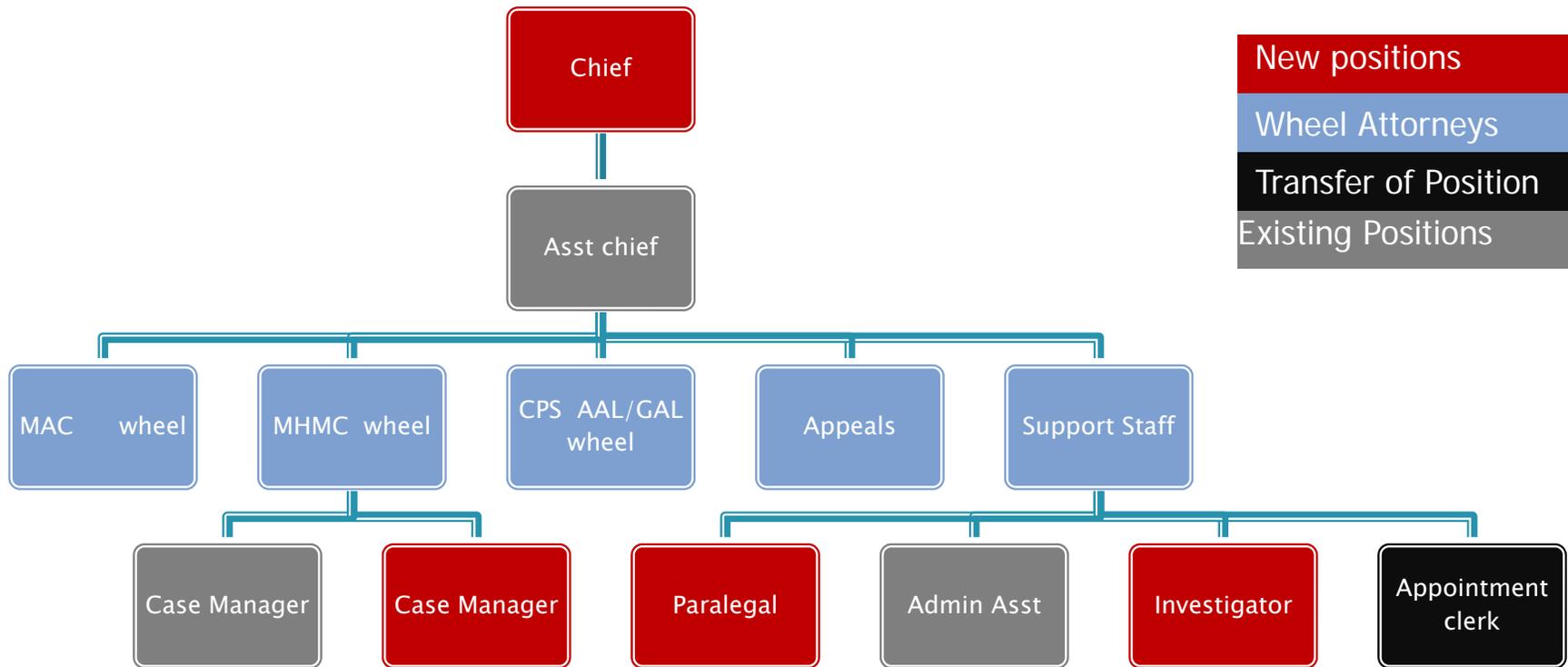


# Cost Per Case Comparison

CAA	MISD	Avg \$ Case	MHMC MISD	Avg \$ Case	FEL	Avg \$ Case	MHMC Fel	Avg \$ Case
2015FY	3578	\$493	977	\$455	2234	\$861	1098	\$781



# INDIGENT DEFENSE



## Continuation of Current System Recommendations:

- Revise fee schedules
- Consistently apply fee schedules
- Consider implementation of Ad Litem/CPS Fee schedule to include billing parameters required of all attorneys
- Implement Caseload reviews
- Utilize appointment clerk for fair and impartial appointments
- Continue CPS specific court dates
- Monitor client complaints
- Monitor attorney compliance with client contacts

