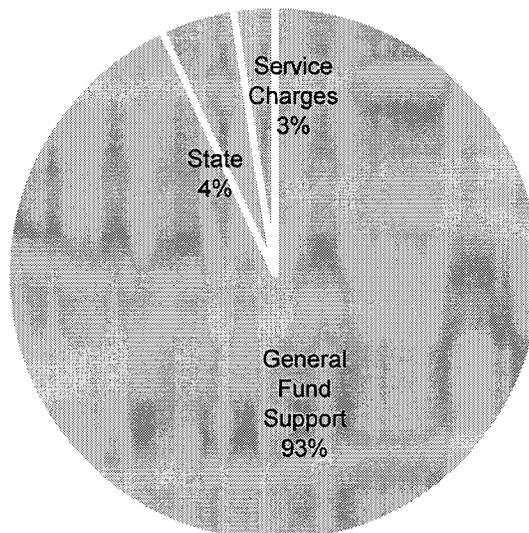


PURPOSE

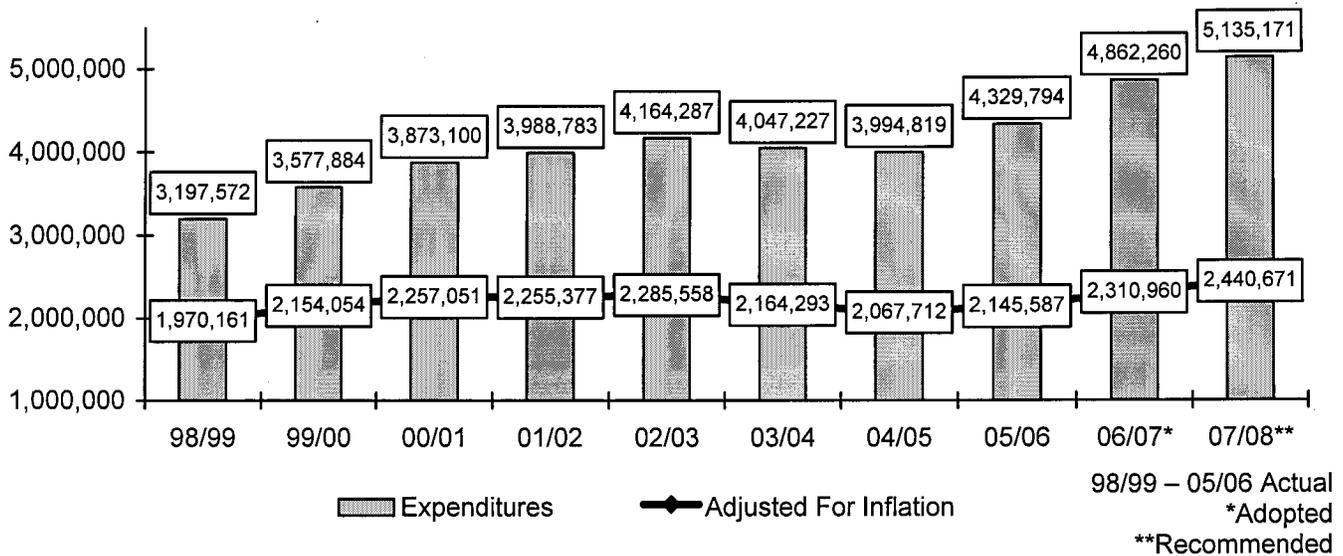
To provide cost effective legal defense services to defendants unable to afford private attorneys.

	2006-07 Budget	2006-07 Projected	2007-08 Requested	2007-08 Recommended	Change From 2006-07
<u>Financial Summary</u>					
Revenues	\$ 297,000	\$ 213,000	\$ 312,400	\$ 352,400	\$ 55,400
Services and Supplies	4,862,260	4,773,000	5,095,171	5,135,171	272,911
**Gross Expenditures	\$ 4,862,260	\$ 4,773,000	\$ 5,095,171	\$ 5,135,171	\$ 272,911
General Fund Support (G.F.S.)	\$ 4,565,260	\$ 4,560,000	\$ 4,782,771	\$ 4,782,771	\$ 217,511

Source of Funds



10 Year Expenditures Adjusted For Inflation



SERVICE PROGRAMS

Primary Public Defender

To contract at a competitive cost for public defender services.
Total Expenditures: \$3,188,013 Total FTE: 0.0

Conflict Public Defender

To contract at a competitive cost for public defender services in the event the Primary Public Defender has a conflict of interest (first level conflict indigent legal defense).
Total Expenditures: \$609,361 Total FTE: 0.0

Conflict-Conflict Public Defender

To contract at a competitive cost for public defender services in the event the Primary Public Defender and Conflict Public Defender have a conflict of interest (also referred to as the second level conflict indigent legal defense).
Total Expenditures: \$331,381 Total FTE: 0.0

Conflict-Conflict-Conflict Public Defense

Court appointed attorneys not on contract with the County who provide legal counsel for indigents who cannot afford their own defense when it is determined (by the Court) that a conflict of interest exists with the County's contracted Primary, Conflict, and Secondary Conflict Public Defenders (also referred to as the third level conflict indigent legal defense).
Total Expenditures: \$696,865 Total FTE: 0.0

State Institutional Legal Defense (ASH/CMC)

Provides for Court contracted and appointed attorneys to defend institutionalized indigents in criminal matters which occur at the Atascadero State Hospital and California Men's Colony.
Total Expenditures: \$309,551 Total FTE: 0.0

COUNTY ADMINISTRATOR'S COMMENTS AND RECOMMENDATIONS

This budget funds state and constitutionally required legal defense services for indigents accused of crimes. San Luis Obispo County uses a series of contracts with private attorneys to provide the function commonly known as Public Defender services.

Three contracts with legal firms provide for primary, conflict and secondary conflict public defender services. An additional separate contract provides specialized legal defense services for mentally disordered offenders (MDO) at Atascadero State Hospital (ASH). This budget also funds attorneys appointed by the Court to handle cases where all three firms under contract have case related conflicts. This typically occurs when there are multiple defendant cases where each of the three contract firms represent one defendant and the fourth defendant is represented by a Court appointed attorney.

Overall, this budget shows a total expense increase of \$272,911 (5%) and a General Fund Support increase of \$217,511 (4%) greater than the amount budgeted for FY 2006-2007. The contracts for the public defenders include about a 4% consumer price index inflator that increases the overall expense of the contracts by about \$170,000 over the amount in FY 2006-2007. Additional expense for defense services for mentally ill defendants, increased costs for psychological exams, expert witnesses and medical and laboratory reports used in the defense of clients comprise the remainder of the expense increase in this budget.

Revenue recommended for this budget is expected to increase by \$55,400 (4%) more than the revenue amount budgeted for FY 2006-2007. The increased revenue comes from reimbursements by defendants that are determined to be financially able to offset a portion of the expense for their legal defense and by a slight increase in California Mens Colony and reimbursements at Atascadero State Hospital.

GOALS AND PERFORMANCE MEASURES

Department Goal: To provide cost effective Public Defender services.						
Communitywide Result Link: A well-governed community; A safe community.						
1. Performance Measure: Annual number of cases reversed based on the allegation of inadequate defense.						
02-03 Actual Results	03-04 Actual Results	04-05 Actual Results	05-06 Actual Results	06-07 Adopted	06-07 Projected Results	07-08 Target
0	0	0	0	0	0	0
What: Counties are mandated to provide public defender services for people who are unable to afford a private attorney. The number of cases that are overturned based upon an inadequate defense measures the effectiveness of public defender services in terms of the meeting the constitutional right to an adequate defense.						
Why: Providing an adequate defense is a constitutional right and promotes justice. Cases that are overturned because of an inadequate defense ultimately are more costly to taxpayers.						
How are we doing? We are meeting our target. Defense services provided by Public Defenders continue to meet legally required standards.						
2. Performance Measure: Per capita costs for public defender services.						
02-03 Actual Results	03-04 Actual Results	04-05 Actual Results	05-06 Actual Results	06-07 Adopted	06-07 Projected Results	07-08 Target
\$16.46	\$16.41	\$14.93	17.07	\$18.71	\$17.98	\$19.43
What: This measure shows the per capita gross costs to provide public defender services.						
Why: We are measuring per capita gross public defender costs in an effort to capture efficiency data.						
How are we doing? We project that the actual per capita cost for FY 06-07 will be below the target. Appointment of attorneys by the Court has not met the demand projected in the budget leading to lowered expense in this category. The increase projected in the next year reflects about a 5% increase over the current year budget as the use of Court appointed attorneys are slightly increasing and the expense related to contract attorneys is expected to increase. The actual cost will vary based upon the number of Court appointed attorneys and the types of cases that are handled during the year. The average of the per capita cost for six comparable counties (Marin, Monterey, Napa, Santa Barbara, Santa Cruz, and Placer) is \$25.06. Five of the six comparable counties have a higher per capita cost than San Luis Obispo. Monterey has the lowest per capita cost at \$16.12. Napa County has the highest per capita cost at \$34.01.						