

BEXAR COUNTY PUBLIC DEFENDER'S OFFICE

Mission: The Public Defender's Office is authorized by the Bexar County Commissioners Court to represent indigent persons, to include those defendants identified with treatable mental health issues, charged with offenses in the misdemeanor courts and on appeal from misdemeanor, felony, and juvenile courts in Bexar County. The office receives its cases by appointment from the judges. Persons represented by this office can expect zealous representation from the lawyers and administrative staff employed by the office.

Goals and Objectives:

- Create a basis of institutional knowledge and consistency within the indigent criminal defense community in parity with the District Attorney's Office.
- Provide trial and appellate representation to indigent clients charged with crimes in misdemeanor courts.
- Provide appellate representation to indigent clients convicted of crimes in misdemeanor, juvenile, and felony courts.
- Act as a resource and support private defense counsel appointed to represent indigent persons at trial and on appeal.
- Provide trial counsel and support services to indigent clients who are acutely mentally ill or are mentally disabled and are charged with a crime in the County's misdemeanor courts.
- Improve the provision of services to mentally ill misdemeanor defendants.
- Utilize performance measures of indigent defense services to provide evidence of effectiveness.

Program Description:

The Public Defender's Office consists of three units: Appellate, Mental Health, and a new Misdemeanor Trial unit which began operation in August 2015. The Public Defender's Office represents indigent individuals as appointed by trial courts to include misdemeanor trial cases and felony, misdemeanor and juvenile appeals. The Public Defender's Office also represents mentally ill and mentally disabled clients in misdemeanor cases. In addition, the department assists trial courts and the private bar in researching case law and working on suggested jury charge language. The Public Defender's office is monitored by an oversight board. Its budget is controlled by Bexar County Commissioners Court.

Performance Indicators:

FY 2013-14	FY 2014-15	FY 2015-16
Actual	Estimate	Proposed

Appellate Section

Workload Indicators:

Number of Appointments	80	90	90
Number of Briefs Filed	60	75	75

Efficiency Indicators:

Number of Closed Cases	60	75	75
Briefs per Attorney (Average)	25	25	25
Number of Days between completion of record and filing of brief (Average)	25	25	25

	FY 2013-14 Actual	FY 2014-15 Estimate	FY 2015-16 Proposed
Effectiveness Indicators:			
Cost per Closed Case	\$3,322	\$3,322	\$3,322
<u>Mental Health Section</u>			
Workload Indicators:			
Number of New Cases Opened	550	525	525
Number of Cases Closed	540	520	520
Number of Cases per Attorney	266	146	146
Efficiency Indicators:			
Number of Plea Agreements	60	75	75
Effectiveness Indicators:			
Number of Persons Referred to Mental Health Services without Participation in the Mental Health Court	100	150	150
<u>Misdemeanor Trial Section</u>			
Workload Indicators:			
Number of New Cases Opened	NA	NA	NA
Number of New Cases Closed	NA	NA	NA
Efficiency Indicators:			
Number of Plea Agreements	NA	NA	NA
Time to Disposition (Average)	NA	NA	NA
Average Caseload per Attorney	NA	NA	NA
Effectiveness Indicators:			
Percentage of Cases Disposed Within 90 Days	NA	NA	90%
Percentage of Cases Disposed Within 180 days	NA	NA	98%
Percentage of Cases with Deferred Adjudication	NA	NA	25%
Percentage of Cases Dismissed	NA	NA	40%

Appropriations:

	FY 2013-14 Actual	FY 2014-15 Budget	FY 2014-15 Estimate	FY 2015-16 Proposed
Personnel Services	\$0	\$725,565	\$679,644	\$823,663
Travel and Remunerations	0	11,036	7,624	14,300
Operational Costs	0	41,712	28,027	18,975
Supplies and Materials	0	27,250	25,944	18,650
<i>Subtotal</i>	<i>\$0</i>	<i>\$805,563</i>	<i>\$741,239</i>	<i>\$875,588</i>
Program Change				\$18,813
<i>Total</i>	<i>\$0</i>	<i>\$805,563</i>	<i>\$741,239</i>	<i>\$894,401</i>

Program Justification and Analysis:

- The FY 2015-16 Proposed Budget increases by 20.7 percent when compared to FY 2014-15 estimates as described below.
- The Personnel Services group increases by 21.2 percent when compared to FY 2014-15 estimates. It includes full funding for all authorized positions in FY 2015-16. This is due to turnover experienced during FY 2014-15. All positions are fully funded for FY 2015-16.
- The Travel and Remunerations group increases by 87.6 percent when compared to FY 2014-15 estimates. Funding is provided for local mileage for staff travel to and from Central Magistration. Funding is also provided for travel to conferences such as the Rusty Duncan Advanced Criminal Law Conference, the National Association of Drug Court Professionals, and the Conference on Criminal Appeals.
- The Operational Costs group decreases by 32.3 percent when compared to FY 2014-15 estimates. This is due to one-time funding for technology including computers, printers, and telephones purchased in FY 2014-15.
- The Supplies and Materials group decreases by 28.1 percent when compared to the FY 2014-15 estimates. This is due to one-time funding for office furniture purchased in FY 2014-15.
- The FY 2015-16 Proposed Budget includes one program change.
 - An Assistant Public Defender II (E-11) will be reclassified to an Assistant Public Defender III (E-13) for a total cost of \$18,813, including salary and benefits. This position will assist the Chief Public Defender in handling administrative duties on a day to day basis and be responsible for the office when the Chief Public Defender is on leave.

Policy Consideration:

In June 2015, the Bexar County Public Defender's Office was awarded a five-year grant from the Texas Indigent Defense Commission to provide representation for indigent arrestees who suffer from a mental health illness. Representation will begin at the first bail hearing to be conducted at the Central Magistration (CMAG) facility so that the arrestee has an opportunity to access mental health services in lieu of incarceration. Once implemented, this program will be the first of its kind in the State of Texas. This grant will provide funds to hire three Assistant Public Defenders I and one Office Assistant IV to provide representation to all arrestees who are eligible for representation due to a mental health illness. Grant funding is expected to begin October 2015. The first year of this grant requires a 20 percent cash match from the County, which will increase by 20 percent each year until the County will be responsible for fully funding the program.

Authorized Positions:

	FY 2013-14 Actual	FY 2014-15 Estimate	FY 2015-16 Proposed
Chief Public Defender	0	1	1
Assistant Public Defender III	0	1	2
Assistant Public Defender II	0	2	1
Assistant Public Defender I	0	3	3
Office Supervisor	0	1	1
Office Assistant IV	0	1	1
Office Assistant III	0	1	1
<i>Total - Public Defender's Office</i>	<i>0</i>	<i>10</i>	<i>10</i>