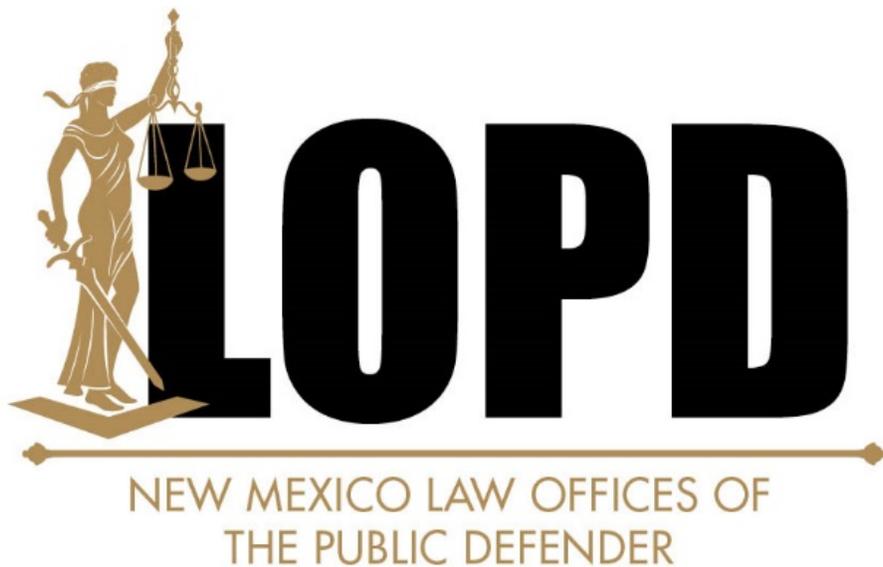


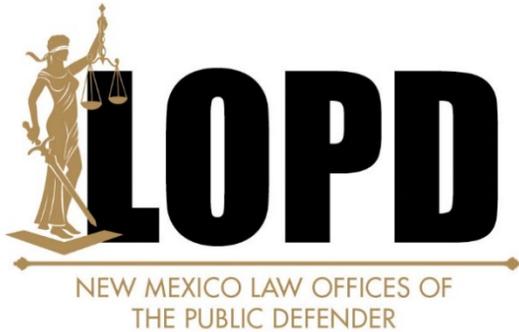
# LEGISLATIVE FINANCE COMMITTEE HEARING



**THOMAS JOSEPH CLEAR III, CHAIR, PUBLIC DEFENDER COMMISSION**  
**HUGH DANGLER, PUBLIC DEFENDER COMMISSION**

# TABLE OF CONTENTS

<b>LAW OFFICES OF THE PUBLIC DEFENDER BASE AND EXPANSION REQUEST SUMMARY .....</b>	<b>1</b>
<b>FY19 AND FY19-20 LIST OF SPECIAL AND SUPPLEMENTAL APPROPRIATION AND SPECIAL LANGUAGE REQUESTS.....</b>	<b>3</b>
<b>MAP OF NEW MEXICO COURTS AND LAW OFFICE OF THE PUBLIC DEFENDER OFFICES.....</b>	<b>4</b>
<b>MAP OF NEW MEXICO COUNTIES WITH LAW OFFICE OF THE PUBLIC DEFENDER OFFICES AND COUNTIES COVERED BY CONTRACT ATTORNEYS.....</b>	<b>5</b>



# FY20 Base Budget & Expansion Request

**Total Budget Increase: 19.8% (\$10,339,500)**  
**4.5 percent (\$2,327,700) to the base budget**  
**15.3 percent expansion increase (\$8,011,800)**  
**Overall FTE Request: 37 Attorneys and 35 Staff**

## **Base Increase Request: Deliver Training and Materials to Improve Client Services Statewide and Improve Employee Retention**

- ✓ Provide secure internet access for courtroom legal work, technology, and vehicles to reduce personal vehicle use to limit liability for the state and employees subsidizing costs.
- ✓ Expand training offered to attorneys and staff to improve representation for clients, increase retention and realize gains in productivity and efficiency.
- ✓ Total request for this expansion is \$2,327,700.

## **Expansion Request 1: Improve Data Sharing with Criminal Justice Partners.**

- ✓ Case management interface with SOPA, transfer and storage of discovery.
- ✓ Data sharing would assist in eliminating duplication of work by justice partners, increase accuracy and improve timeliness on individual cases and defendant records.
- ✓ The total request for this expansion is \$400,000.

## **Expansion Request 2: 29 Attorneys and 27 Staff FTE to Improve Client Services Statewide and Reduce Recidivism**

- ✓ Effective representation of clients requires attorneys to have caseloads that permit sufficient attention to defending the case, as well as

familiarity with every client's mental health, addiction and other factors that lead to recidivism.

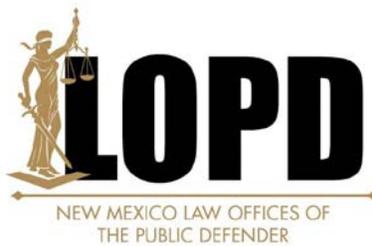
- ✓ Based on increased need in covering pretrial detention hearings, preliminary hearings, and caseload reduction.
- ✓ The increased need is as follows:
  - 29 attorneys spread between appellate/habeas, Santa Fe/Rio Arriba, Albuquerque, Las Cruces, Roswell/ Carlsbad, Hobbs/ Lovington, Aztec, and Alamogordo; and
  - 27 staff: Santa Fe/ Rio Arriba, Albuquerque, Las Cruces, Roswell/Carlsbad, Hobbs, Aztec, Alamogordo/ Ruidoso and statewide units including social workers and investigators.
- ✓ The total request for this expansion is \$4,491,700.

### **Expansion Request 3: Expand Specialized Unit Handling Complex Cases to Serve Clients in Rural Communities**

- ✓ The goal is to ensure that every rural client's representation is as experienced and professional as that given to clients in more populous areas.
- ✓ 7 Attorney FTE and 6 Staff FTE (2 Social Workers, 2 Investigators, 1 Administrator, and 1 Senior Secretary)
- ✓ The total request for this expansion is \$1,112,800.

### **Expansion Request 4: Compensation for Contract Counsel to Improve Client Services Statewide and Expand Legislative Pilot Project to Pay Hourly Rates to Contract Defenders in Complex Cases**

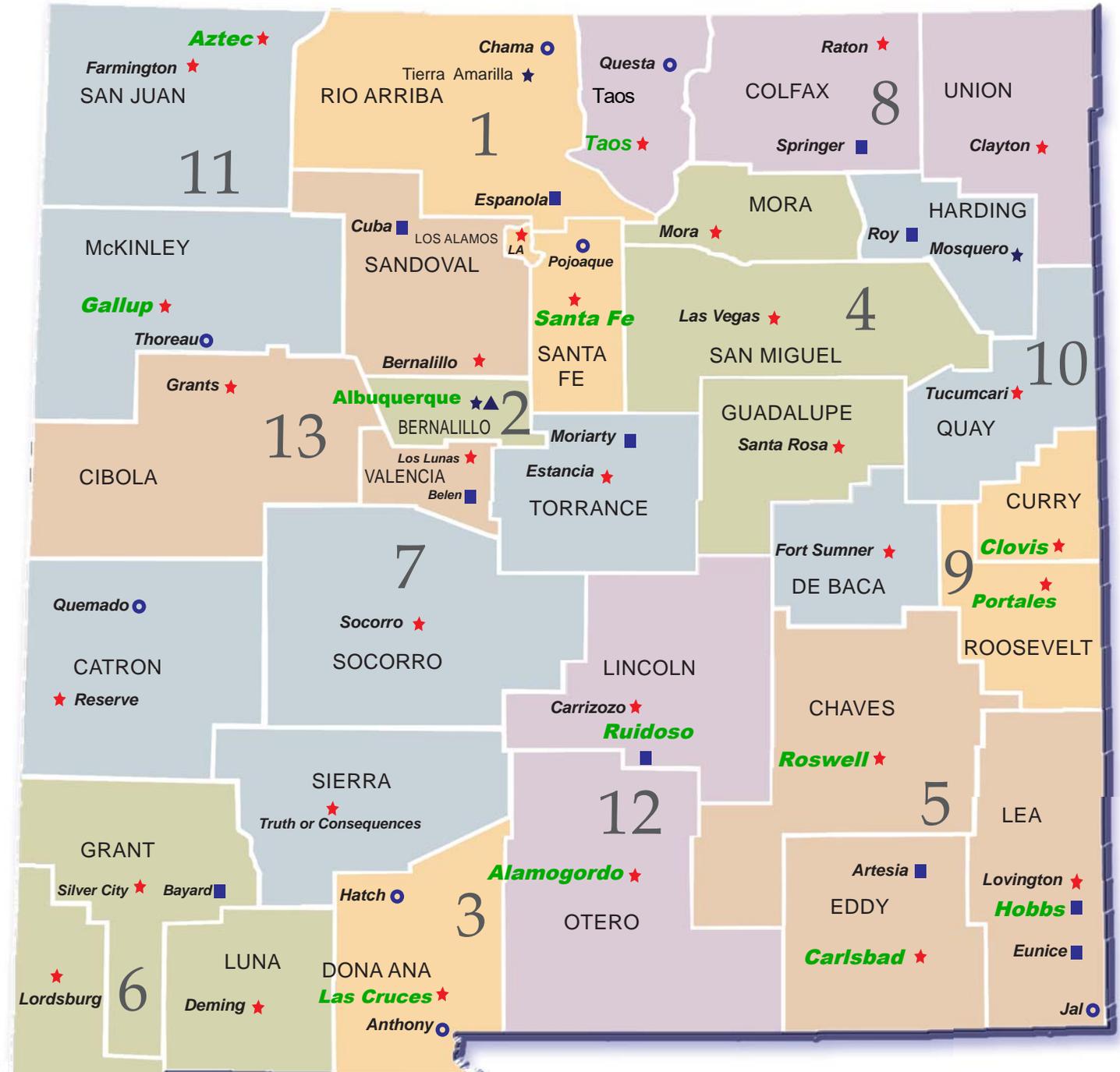
- ✓ Paying hourly rates on serious cases and allowing for complex case compensation will ensure lawyers are compensated such that they are willing to contract to fulfill the State's constitutional requirements to provide zealous representation for indigent New Mexicans.
- ✓ 1 Attorney FTE and 2 Staff FTE (Financial Specialist and Budget Analyst) to manage hourly rate tracking and payments.
- ✓ Additional \$600,000 for hourly rates for contract defenders.
- ✓ Total request for this expansion is \$2,007,300.



**FY19 and FY19-20 List of Special and Supplemental Appropriation  
and Special Language Requests**

1. Special (Language Only) – Workload study	-	“The period of time for expending the fifty thousand dollars (\$50,000) appropriated from the general fund and matching funds of fifty thousand dollars (\$50,000) in Subsection 22 of Section 5 of Chapter 73 of Laws 2018 to conduct a workload study is extended through fiscal year 2020. The general fund appropriation is contingent on contribution of fifty thousand dollars (\$50,000) from a non-public entity.”
2. Special (FY19-FY20) – Data storage	\$839,400	To meet increased need for data storage, including electronic discovery, and documents for over 70,000 cases annually.
3. Special (FY19-FY20) – Data sharing	\$130,000	To implement data sharing between LOPD and the courts JID Odyssey system.
4. Special (FY19-FY20) – Training and Equipment	\$96,800	Statewide training for approximately 400 attorneys, paralegals, investigators, social workers and staff; trial skills training for 20 attorneys; leadership development training; related training equipment; and specialized equipment for 30 investigators.
5. Special (FY19-FY20) – Internet access	\$548,000	To install WIFI with network accelerators at piloted LOPD offices to increase bandwidth for file transfers between offices and implement wireless networks.
FY19 Supplemental – Case Defense	\$753,200	To assign felony, juvenile, and misdemeanor cases statewide and to provide contract defense attorneys and defense litigation expert services for complex, high profile cases.
FY19 BAR Language	-	The public defender department may request budget increases up to five hundred thousand dollars (\$500,000) in other state funds from the public defender automation fund and from Bernalillo county grant agreements for operating expenses.
FY20 BAR Language	-	The public defender department may request budget increases up to five hundred thousand dollars (\$500,000) in other state funds from the public defender automation fund and from Bernalillo county grant agreements for operating expenses.

# NEW MEXICO COURTS and LOPD OFFICES



- 1<sup>st</sup> Judicial District Court**  
Santa Fe, Rio Arriba & Los Alamos
- 2<sup>nd</sup> Judicial District Court**  
Bernalillo
- 3<sup>rd</sup> Judicial District Court**  
Doña Ana
- 4<sup>th</sup> Judicial District Court**  
San Miguel, Mora & Guadalupe
- 5<sup>th</sup> Judicial District Court**  
Chaves, Eddy & Lea
- 6<sup>th</sup> Judicial District Court**  
Grant, Hidalgo & Luna
- 7<sup>th</sup> Judicial District Court**  
Torrance, Socorro, Catron & Sierra

- 8<sup>th</sup> Judicial District Court**  
Taos, Colfax & Union
- 9<sup>th</sup> Judicial District Court**  
Curry & Roosevelt
- 10<sup>th</sup> Judicial District Court**  
Harding, De Baca & Quay
- 11<sup>th</sup> Judicial District Court**  
San Juan & McKinley
- 12<sup>th</sup> Judicial District Court**  
Otero & Lincoln
- 13<sup>th</sup> Judicial District Court**  
Cibola, Sandoval & Valencia
- Bernalillo County Metropolitan Court**  
Albuquerque

- Supreme Court**  
Santa Fe
- Court Of Appeals**  
Santa Fe & Albuquerque

**LOPD Offices in Green**

- ★ District & Magistrate Courts
- ★ District Courts
- ▲ Metropolitan Court
- Magistrate Full Courts
- Magistrate Circuit Courts

05/09/16-ram

# Law Offices of the Public Defender Contract Counsel A Critical Role in the Indigent Defense System

New Mexico Counties without LOPD Offices are marked in Orange

New Mexico Counties with LOPD Offices are marked in Blue

