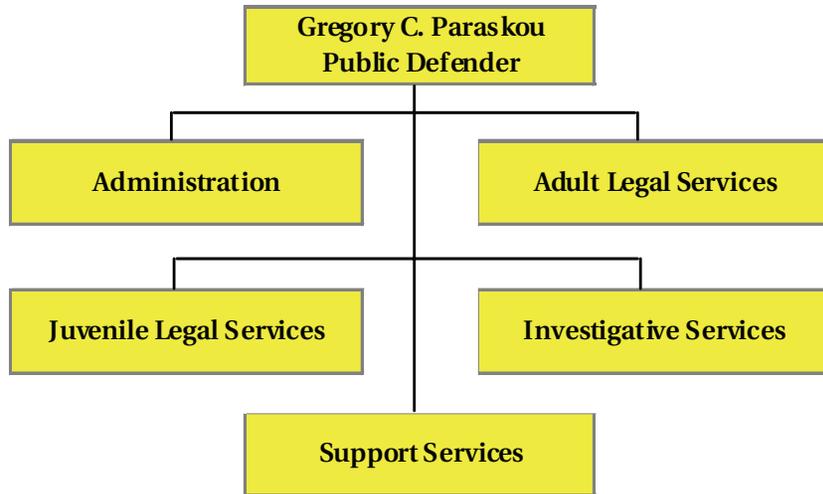
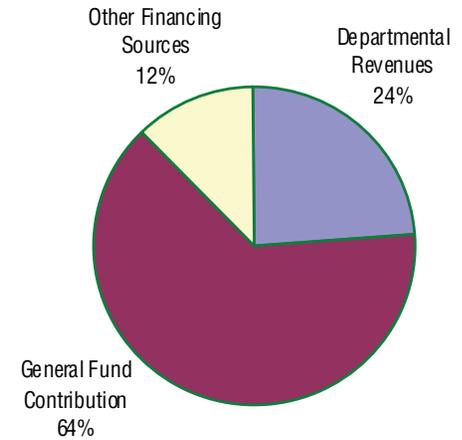


# PUBLIC DEFENDER

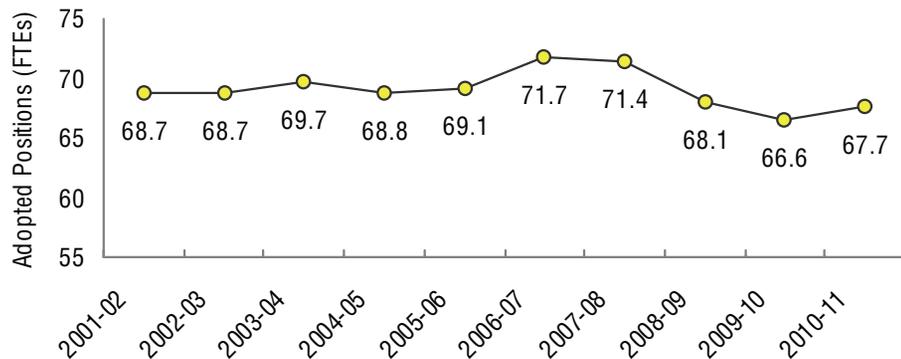
Budget & Positions (FTEs)	
Operating \$	10,110,158
Capital	-
Positions	67.7 FTEs



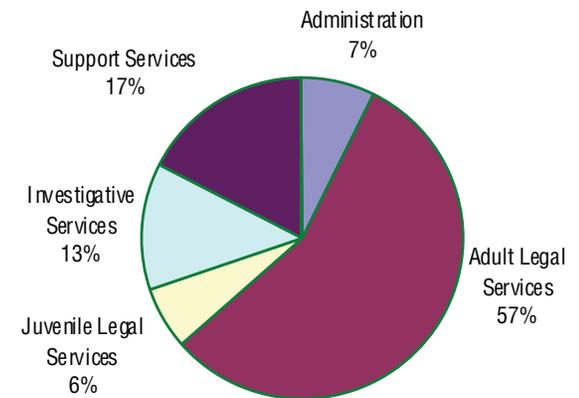
## SOURCE OF FUNDS



## STAFFING TREND



## USE OF FUNDS



**PUBLIC DEFENDER**  
**Department Summary**

	Actual FY 08-09	Adopted FY 09-10	Est. Actual FY 09-10	Recommended FY 10-11
<b>Use of Funds Summary</b>				
<i>Operating Expenditures</i>				
Administration	\$ 639,044	\$ 711,200	\$ 934,767	\$ 753,587
Adult Legal Services	6,178,018	6,041,240	5,720,696	5,659,922
Juvenile Legal Services	425,871	590,758	747,251	608,046
Investigative Services	1,110,156	1,278,512	1,197,460	1,325,458
Support Services	1,339,959	1,459,142	2,005,865	1,763,145
Operating Sub-Total	9,693,048	10,080,852	10,606,039	10,110,158
Less: Intra-County Revenues	(10,867)	--	--	--
Expenditure Total	9,682,181	10,080,852	10,606,039	10,110,158
<i>Other Financing Uses</i>				
Operating Transfers	6,874	6,873	6,874	6,876
Department Total	\$ 9,689,055	\$ 10,087,725	\$ 10,612,913	\$ 10,117,034

**Character of Expenditures**

	Actual FY 08-09	Adopted FY 09-10	Est. Actual FY 09-10	Recommended FY 10-11
<i>Operating Expenditures</i>				
Regular Salaries	\$ 6,236,208	\$ 6,835,480	\$ 6,167,504	\$ 6,366,105
Overtime	1,367	--	--	--
Extra Help	164,013	--	189,418	77,744
Benefits	2,431,888	2,416,302	3,446,327	2,821,176
Salaries & Benefits Sub-Total	8,833,476	9,251,782	9,803,249	9,265,025
Services & Supplies	859,572	829,070	802,790	845,133
Operating Sub-Total	9,693,048	10,080,852	10,606,039	10,110,158
Less: Intra-County Revenues	(10,867)	--	--	--
Expenditure Total	\$ 9,682,181	\$ 10,080,852	\$ 10,606,039	\$ 10,110,158

Note: Presentation of the individual program amounts for fiscal years 2008-09 and 2009-10 have been adjusted to provide a consistent level of detail with the fiscal year 2010-11 budget, however, the totals for 2008-09 and 2009-10 have not been changed.

	Actual FY 08-09	Adopted FY 09-10	Est. Actual FY 09-10	Recommended FY 10-11
<b>Source of Funds Summary</b>				
<i>Departmental Revenues</i>				
Federal & State Revenues	\$ 2,358,549	\$ 2,241,434	\$ 2,213,306	\$ 2,252,858
Other Charges for Services	154,384	160,090	147,369	175,000
Revenue Sub-Total	2,512,933	2,401,524	2,360,675	2,427,858
Less: Intra-County Revenues	(10,867)	--	--	--
Revenue Total	2,502,066	2,401,524	2,360,675	2,427,858
General Fund Contribution	6,249,869	7,297,626	7,363,663	6,463,501
<i>Other Financing Sources</i>				
Operating Transfers	427,000	--	--	--
Use of Prior Fund Balances	510,120	388,575	888,575	1,225,675
Department Total	\$ 9,689,055	\$ 10,087,725	\$ 10,612,913	\$ 10,117,034

	Actual FY 08-09		Adopted FY 09-10		Est. Actual FY 09-10		Recommended FY 10-11	
	Pos.	FTE	Pos.	FTE	Pos.	FTE	Pos.	FTE
<b>Position Summary</b>								
<i>Permanent</i>								
Administration	8.0	6.6	8.0	6.9	8.0	7.0	8.0	6.9
Adult Legal Services	31.0	29.2	30.8	28.9	30.8	27.6	31.0	28.1
Juvenile Legal Services	3.0	2.0	3.0	2.9	3.0	2.6	3.0	2.9
Investigative Services	12.0	11.6	12.0	11.7	12.0	11.1	12.0	11.7
Support Services	18.8	16.9	18.8	16.1	18.8	18.1	18.8	18.1
Total Permanent	72.8	66.2	72.5	66.6	72.5	66.4	72.8	67.7
<i>Non-Permanent</i>								
Extra Help	--	2.8	--	--	--	3.4	--	--
Total Positions	72.8	69.0	72.5	66.6	72.5	69.7	72.8	67.7

Note: FTE and position totals may not sum correctly due to rounding.

**MISSION STATEMENT**

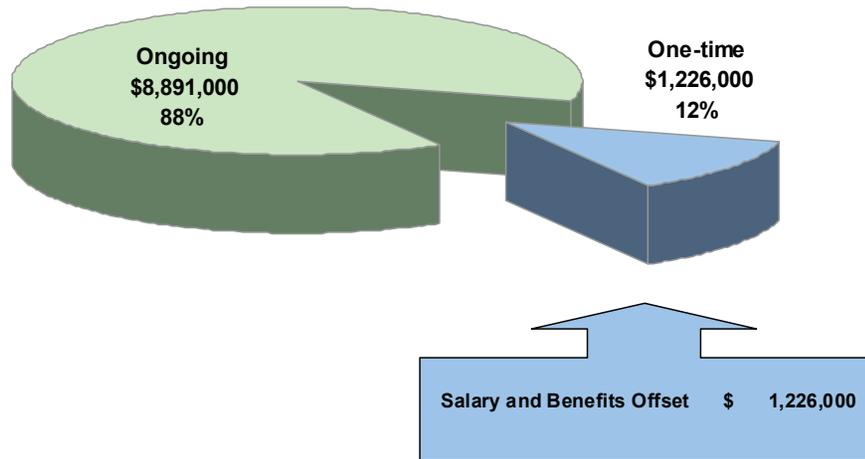
To provide zealous and professional legal representation of the highest quality to all clients and to create an environment that motivates and enables all employees to achieve this mission.

**Budget Organization**

The cost centers of the Law Office of the Public Defender are Administration, Adult Legal Services, Juvenile Legal Services, Investigative Services, and Support Services. All employees are located in offices adjacent to Court facilities in Santa Maria (Superior Court and Juvenile), Lompoc (Superior Court), and Santa Barbara (Superior Court and Juvenile).

The Law Office employs 34 Deputy Public Defenders. As a result of the retirement incentive program, six senior attorneys retired as of January, 2010. Those positions have not been filled with new full time attorney employees, although four of the positions are currently filled by beginning level extra help attorneys. Two of the positions remain vacant as an additional cost saving measure. In addition, the Law Office has a Chief Public Defender and two Assistant Public Defenders and a support staff of thirty five including a business manager, information systems administrator (currently vacant due to retirement), investigators, social service practitioners, legal secretaries, accounting assistant, investigator assistants, and data entry operators.

**FY 2010-11 Funding Sources: Ongoing vs. One-time "Cliffs"**



**PUBLIC DEFENDER**

**Department Summary (cont'd)**

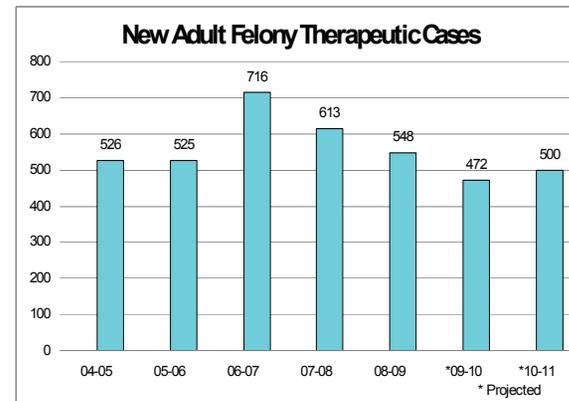
Twelve percent of the FY 2010-11 Recommended Budget is comprised of one-time sources of funding. A reduction of \$1,226,000 would result in a reduction in staff of approximately seven attorneys and five support staff. The Public Defender's budget is 92% salaries and benefits, consequently there is minimal ability to absorb the budget reductions without loss of staff.

The loss of attorneys would result in a decreased ability to handle felony and misdemeanor cases, including Sexually Violent Predator, Mentally Disordered Offender and extension hearing, withdrawal from Lantermann-Petris-Short Act Mental Health Conservatorships, Conservator/Probate cases, and contempt cases. Those individual clients in each of the categories of cases are entitled to have counsel appointed to represent them at County expense. Prior experience in FY 2008-09 demonstrated that the cost of utilizing outside counsel to handle those cases that the Public Defender's Office could not accept was 21% more than the cost of maintaining attorney staffing at a level which avoids the necessity of the Public Defender's Office declaring unavailable on cases.

The loss of the support staff would have additional service level impacts, for example: failure to have cases ready for trial or disposition in a timely fashion, inability to get people out of the jail and into treatment programs, increasing the jail overcrowding problems, outsourcing the mitigation investigation in capital costs at a higher cost to the county, and a potential increase in the length and severity of sentences imposed by the courts.

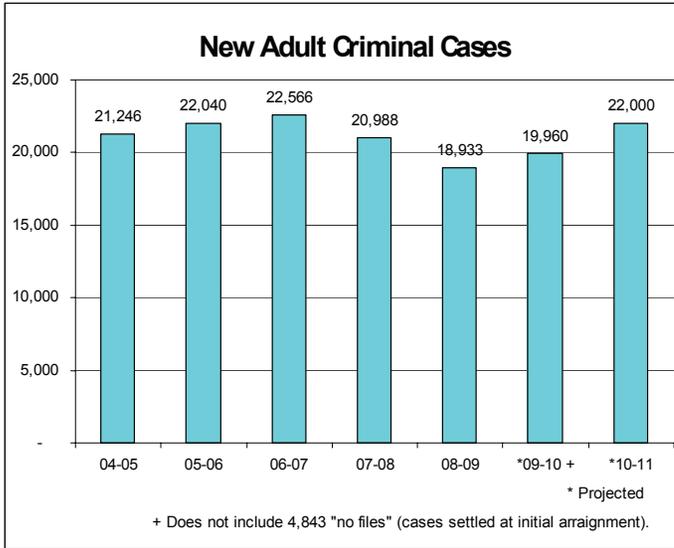
As a result of the use of one-time sources, the department will face a revenue shortfall of \$1,226,000 to begin in FY 2011-12 and would also likely be faced with rising costs which must be addressed to maintain these services.

**Activity Indicators**

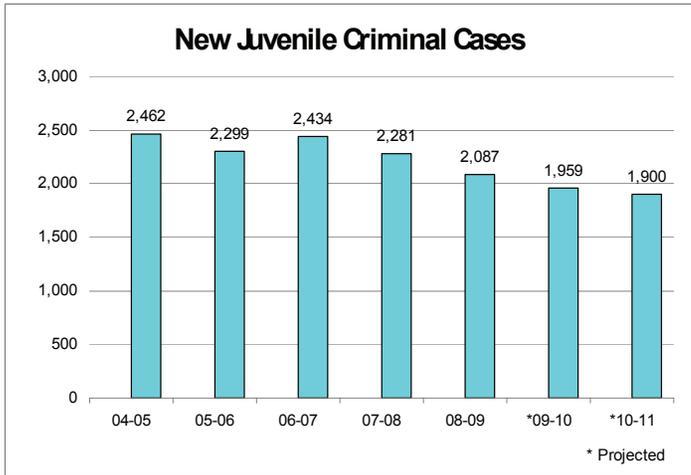


Adult therapeutic court cases include Clean & Sober, Domestic Violence Review, Proposition 36 and Substance Abuse Treatment Court. These cases place Public Defender clients in treatment programs, thus relieving jail overcrowding.

**PUBLIC DEFENDER**  
**Department Summary (cont'd)**



Adult criminal cases continue their upward trend of the past few years.



The juvenile caseload continues the general downward trend of the past few years.

**Significant Changes (FY 2009-10 Adopted to FY 2009-10 Estimated Actual)**

Estimated Actual operating expenditures increased by \$525,000 to \$10,606,000, from the Adopted Budget of \$10,081,000. This 5.2% increase is the result of:

- +\$362,000 – Salary and benefits expense higher than anticipated due to the retirement incentive program;
- +\$189,000 – Additional extra help costs to fill in behind early retirements and to meet caseload demands;
- -\$26,000 – Decrease in miscellaneous expenses due to aggressive cost cutting measures.

Estimated Actual operating revenues decreased by \$41,000, to \$2,361,000, from the Adopted Budget of \$2,402,000. This 1.7% decrease is the result of:

- -\$28,000 – Lower than anticipated Public Safety Sales Tax revenue;
- -\$13,000 – Lower than anticipated miscellaneous other revenues.

Additionally, the Department released \$389,000 from the salary and retirement offset designation to fund ongoing operations for Fiscal Year 2009-10.

**Significant Changes (FY 2009-10 Estimated Actual to FY 2010-11 Recommended)**

The Recommended Budget's operating expenditures will decrease by \$496,000 to \$10,110,000 from the prior year's Estimated Actual of \$10,606,000. This 4.7% decrease is the result of:

- -\$427,000 – Decreased salaries and benefits due to the retirement incentive program in FY 2009-10;
- -\$112,000 – Reduced extra help attorney staff;
- +\$43,000 – Increased various expenses.

The Recommended Budget's operating revenues will increase by \$67,000, to \$2,428,000, from the prior year's Estimated Actual of \$2,361,000. This 2.8% increase is the result of:

- +\$40,000 – Higher Public Safety Sales Tax revenue;
- +\$27,000 – Increased miscellaneous Other Revenues.

Capital Asset Expenditures: Public Defender Capital Asset expenditures for FY 2010-11 are \$0 as the Department's Santa Barbara office remodel project is budgeted in the General Services Department for \$5,500,000 pending issuance of the Certificates of Participation. The Board of Supervisors considered financing options in late FY 2009-10, and construction is scheduled to start in July, 2010.

**PUBLIC DEFENDER**  
**Department Summary (cont'd)**

**Departmental Priorities and Their Alignment With County Goals**

The Law Office of the Public Defender’s strategic actions are primarily aligned with the following adopted County Strategic Goals:

**Goal 1: Efficient and Responsive Government: An Efficient, Professionally Managed Government Able to Anticipate and to Effectively Respond to the Needs of the Community.**

**Goal 2: Health and Safety: Safe and Healthy Community in Which to Live, Work and Visit.**

**Goal 6: Families and Children: A Community that Fosters the Safety and Well-Being of Families and Children.**

Among critical issues, the issue of “Health Care & Social Services Delivery” will continue to take priority for FY 2010-11 in the form of continued development of therapeutic court’s alternative sentencing and continued zealous representation of adult and juvenile clients. The Office of the Public Defender continues providing effective leadership and promoting collaborative partnerships to deliver the highest quality of service to clients.

**Focus Area: Therapeutic Courts**

Current Year (FY 09-10) Accomplishments:

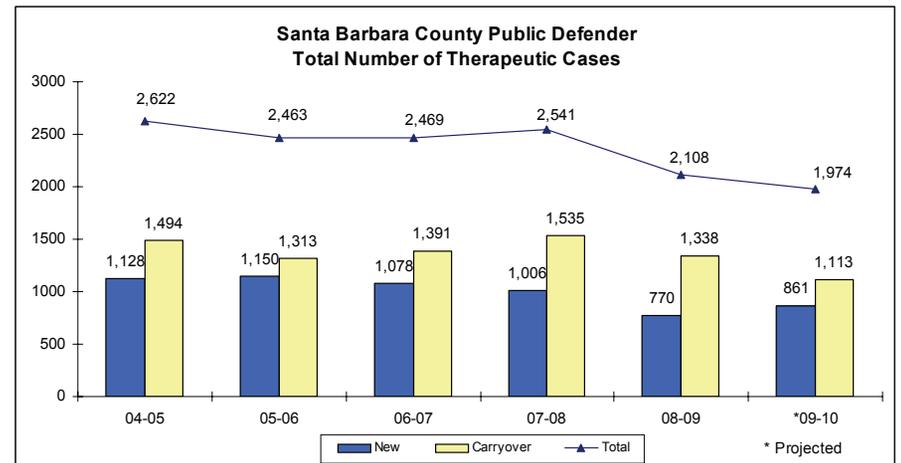
- Continued to collaborate with the Courts, Mental Health, Probation, Sheriff, District Attorney, and community organizations to improve the functioning of the Therapeutic Courts (Substance Abuse Treatment Court, Proposition 36, Juvenile Drug Court, Domestic Violence Review Court, Dual Diagnosis and Mental Health Treatment Court, and the DUI Review Court).
- Assisted 861 clients to enter the alcohol and drug treatment programs instead of incarceration, an increase of 11.8% over FY 2008-09, saving the County money and helping to reduce the jail overcrowding problem.
- Continued to represent 1,113 clients in these ongoing Therapeutic Court review appearances. These court programs have proven to be successful at rehabilitation, reducing recidivism, enhancing public safety, and helping individuals to become productive members of the community.

Proposed Strategic Action:

- Improve and increase the Department’s ability to more quickly transition in-custody clients out of the jail and into treatment programs.

Proposed Key Projects:

- Studies have demonstrated the efficacy of the Treatment Programs. A UCLA Study of Proposition 36 outcomes found that for every dollar spent there was a savings of \$2.50 – \$4.00. A UCSB Report of the 2007-2008 data shows that 66% of both Proposition 36 and Substance Abuse Treatment Court program participants successfully completed the Program. It calculated the jail cost savings to be \$838,831 (7,049 jail days at \$119/day). The five-year total amounts to a savings to County taxpayers of \$5,192,920 in jail costs.
- With this data in mind, under more favorable economic conditions, the Public Defender’s Office would seek additional funds of approximately \$42,500 for a new Social Services Case Aide to enhance the Department’s ability to more expeditiously identify those in-custody clients who can benefit from the treatment programs, find a placement for them, and get them out of the jail as soon as possible. Due to the current unfavorable economic conditions, the Public Defender’s Office will defer this request until conditions improve.



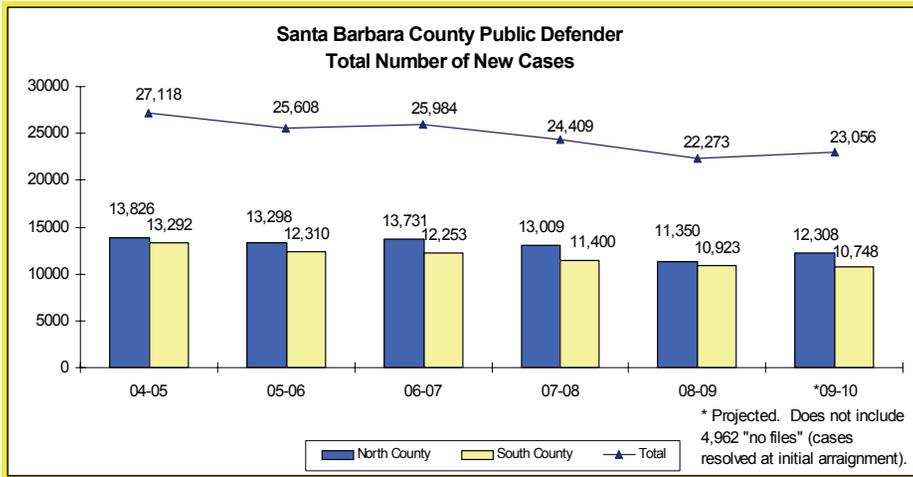
Reduction in total cases is likely due to the shortening of the treatment programs as a result of cuts in state funding.

**PUBLIC DEFENDER**  
**Department Summary (cont'd)**

**Focus Area: Litigation**

Current Year (FY 09-10) Accomplishments:

- Successfully completed a collaborative process with the courts to establish an automatic mechanism for the assessment of Public Defender attorney fees.
- Continued to work with Department and County staff to maintain the assessment and collection levels.
- Continued to enhance Department effectiveness through in-house training for attorneys as a California State Bar approved provider of Mandatory Continuing Legal Education.
- A success rate of 36% in jury trials (clients found not guilty, guilty of a lesser offense, dismissal after a hung jury or mistrial) in 2009.
- Completed the design, in cooperation with General Services staff, for the remodel of the Santa Barbara office space in the historic Courthouse Annex to provide a safe and secure facility for employees, increase client and public access (including disabled access), and improve efficiency and workflow. Currently engaged in search for suitable temporary location during the remodel, scheduled to begin in July 2010. The necessity for the move was exacerbated by the January 2010 fire in the Courthouse. Although the fire was quickly contained, the top floor of the Public Defender's Office was rendered uninhabitable. Twelve attorneys and support staff have been relocated within the Department, with many attorneys doubling up, and in one case tripling up, in offices. Despite these challenges, the Public Defender's Office continues to deliver the quality legal representation that it is renowned for.



Proposed Strategic Actions:

- Bring in outside speakers on various legal, ethical, and trial practice topics to provide low-cost training to the attorney staff and provide training for all support staff at minimal cost to the County.
- Continue to collaborate with the courts to complete the process improvements leading to an increase in the assessment and collection of Public Defender attorney fees.
- Continue to collaborate with the District Attorney's Office to increase the use of electronic information transfer of reports and other discovery material.
- Redesign the Public Defender website to make it more user-friendly, informative and professional, as well as implement an intranet for departmental usage.

Proposed Key Projects:

- Successfully transition to a temporary location in the south county during the historic Courthouse Annex remodel, scheduled to begin construction in July 2010.
- Continue to collaborate with the courts to complete the process improvements leading to an increase in the assessment and collection of Public Defender attorney fees.



The Santa Barbara Courthouse, home to the Public Defender's Office, is scheduled for a comprehensive renovation in FY 2010-11.

	Actual FY 08-09	Adopted FY 09-10	Est. Actual FY 09-10	Recommended FY 10-11
	Pos.	Pos.	Pos.	Pos.
<b>Position Detail</b>				
<b>Administration</b>				
Public Defender	1.0	1.0	1.0	1.0
Assistant Public Defender	2.0	2.0	2.0	2.0
Business Leader	1.0	1.0	1.0	1.0
Accounting Assistant	1.0	1.0	1.0	1.0
Computer Systems Specialist	1.0	1.0	1.0	1.0
Executive Secretary	1.0	1.0	1.0	1.0
Departmental Analyst	1.0	1.0	1.0	1.0
Sub-Division Total	8.0	8.0	8.0	8.0
<b>Adult Legal Services</b>				
Deputy Public Defender	30.0	29.8	29.8	30.0
Paralegal	1.0	1.0	1.0	1.0
Sub-Division Total	31.0	30.8	30.8	31.0
<b>Juvenile Legal Services</b>				
Deputy Public Defender	3.0	3.0	3.0	3.0
Sub-Division Total	3.0	3.0	3.0	3.0
<b>Investigative Services</b>				
Chief Investigator	1.0	1.0	1.0	1.0
Legal Office Professional	--	3.0	3.0	3.0
Investigator	6.0	6.0	6.0	6.0
Social Services Practitioner	2.0	2.0	2.0	2.0
Investigative Assistant	3.0	--	--	--
Sub-Division Total	12.0	12.0	12.0	12.0
<b>Support Services</b>				
Legal Office Professional	--	18.8	18.8	18.8
Legal Secretary	13.0	--	--	--
Legal Interpreter	1.8	--	--	--
Data Entry Operator	2.0	--	--	--
Office Assistant	2.0	--	--	--
Sub-Division Total	18.8	18.8	18.8	18.8
Division Total	72.8	72.5	72.5	72.8

**PUBLIC DEFENDER**  
Department Summary (cont'd)

	Actual FY 08-09	Adopted FY 09-10	Est. Actual FY 09-10	Recommended FY 10-11
<b>Recurring Performance Measures</b>				
<b>Administration</b>				
As an efficient and responsive government, the County will maintain a quality workforce through completing 100% of departmental Employee Performance Reviews (EPRs) by the anniversary due date.	42% 31 74	100% 63 63	43% 29 68	100% 72 72
As an efficient and responsive government, the Department will reduce or maintain the rate of General Liability claims filed from the previous year's actual claims filed.	200% 2 1	100% 2 2	0% 0 0	100% 0 0
As an efficient and responsive government, the Department will reduce or maintain the rate of Workers' Compensation claims filed from the previous year's actual claims filed.	100% 1 1	100% 1 1	200% 2 1	100% 2 2
As an efficient and responsive government, the County will maintain a productive workforce through a Departmental lost time rate of 5.9% or less.	7.4% 10,439 140,368	7.4% 9,238 124,833	6.2% 9,057 146,546	5.9% 8,732 148,000
<b>Adult Legal Services</b>				
Collaborate with Criminal Justice and County government partners on 6 projects annually to accomplish systemic improvements.	100% 6 6	100% 6 6	100% 6 6	100% 6 6
Public Defender will meet annually with 14 Superior Court adult and juvenile criminal law judges to assess quality, representation, and service to the Court.	100% 14 14	100% 14 14	100% 14 14	100% 14 14

**PUBLIC DEFENDER**  
**Department Summary (cont'd)**

	Actual FY 08-09	Adopted FY 09-10	Est. Actual FY 09-10	Recommended FY 10-11
<b>Recurring Performance Measures</b>				
<b>Investigative Services</b>				
100% of twelve investigators/social workers will attend at least two specialized criminal law/investigation programs annually.	100% 12 12	100% 12 12	100% 12 12	100% 12 12
Investigative staff will personally contact 100% of an estimated 225 clients who are deemed unable to care for themselves or a threat to themselves or others within 48 hours of receiving such notices to determine if an appeal is requested.	100% 292 292	100% 284 284	100% 214 214	100% 225 225
<b>Support Services</b>				
100% of 18 secretarial/clerical employees will attend at least one job-related class taught by a qualified instructor/organization or the County's Employee University.	100% 18 18	100% 18 18	100% 18 18	100% 18 18
Complete appropriate file documentation within 10 working days for 100% of an estimated 23,000 cases closed.	93% 20,714 22,273	94% 20,210 21,500	94% 21,232 22,588	100% 23,000 23,000

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